

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59417 of 2021**

Arising Out of PS. Case No.-62 Year-2020 Thana- RAMPUR CHAURAM District-
Jehanabad

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RAHISH KUMAR S/o- KALAKTAR SINGH YADAV Resident of Village-
Abagila, P.O. Sarwan, P.S.- Rampur Chauram, District- Arwal.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr.Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 29-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Rampur Chauram P.S. Case No. 62/2020, registered for the offence punishable under Section 409 of the Indian Penal Code.

The allegation is regarding the petitioner having withdrawn a sum of Rs. 10,00,000/- in the capacity of being the ward member of ward no. 15 of Gram Panchayat, Abgila for the purposes of implementation of Mukhya Mantri Nal Jal Yojna, in the financial year, 2018-19, however, the work was not completed.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 22.7.2021. The learned counsel for the petitioner has relied upon a letter dated 7.8.2021, written by the Block Development Officer, Arwal (informant herein), which is annexed as Annexure-3 to the present petition, to submit that the work in question has already been completed, hence, there is no impediment in grant of bail to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the Block Development Officer, Arwal, who is the informant of the present case, has written to the Officer-in-Charge Rampur Chauram Police



Station that the work in question has been completed, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since about eight months, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Arwal in connection with Rampur Chauram P.S. Case No. 62/2020.

(Mohit Kumar Shah, J)

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