

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63958 of 2021**

Arising Out of PS. Case No.-255 Year-2015 Thana- MOKAMAH District- Patna

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SACHCHIDANAND SINHA @ SACHIDA NAND SINHA S/o Late  
Brahmdeolal R/o - Road No. 2A, Bishwanath Path, Postal Park, P.S. -  
Jakkanpur, District and Town- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar, Adv

For the Opposite Party/s : Mr.Anil Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      21-04-2022                      Let the defects, as pointed out by the office, be  
  
removed within four weeks of starting of Court proceeding in  
  
physical mode in normal course.

A supplementary affidavit, carrying out necessary  
correction in the main petition, has been filed on behalf of the  
petitioner, which is kept on record.

Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in a case registered for the  
offences punishable under Section 409 of the Indian Penal  
Code.

The prosecution case, in short, is that the petitioner,  
now retired from the post of Junior Engineer, has not submitted



the adjustment report of remaining the several schemes to the tune of Rs. 12,28,952/-. Office sent letter No.48 dated 11.11.2015 another letter No.1404 dated 04.12.2015 but till date the amount has not deposited by him. In this circumstance, you are requested in regard to the letter No.1986 dated 31.08.2015, issued by District Magistrate, lodged the case against him.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. In pursuance of the order passed in CWJC No.1630 of 2015 and CWJC No.16905 of 2017, learned counsel for the petitioner submits that the petitioner has discharged the amount from his retiral benefit and get a certificate from the competent authority vide Annexures-6 and 7. He further submits that it appears from Annexures-6 and 7 of the bail petition, the competent authority has adjusted the amount in question from the retiral benefit of the petitioner. He further submits that the police, after investigation, submitted chargesheet against the petitioner in a mechanical manner. Petitioner is in custody since 23.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.



Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mokama P.S. Case No. 255 of 2015, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailors must be the family member of the petitioner and one of the bailors shall be the resident of territorial jurisdiction of the learned court below.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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