

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53739 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- SUIYA District- Banka

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Kumar Anand Shekhar S/O Late Baidhnath Pandit, Resident Of Village-
Tilwaria, P.S.- Belhar, Distt- Banka. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Suiya P.S. Case No. 21 of 2022 lodged under Sections 406, 408,
409 and 420 of the I.P.C.

As per prosecution case, the allegation of
misappropriation of government money in MANREGA work
has been alleged against 8 named accused persons including the
present petitioner.

Learned counsel for the petitioner submits that the
role of petitioner is very limited. He was working in the said
panchayat as Rojgar Sewak in the area where the construction
work was going on. Counsel for the petitioner further submits
that it is a government work which used to take place in co-
ordination of different persons and role of different persons are

different. Counsel further submits that it is not the allegation that work has not been done rather it is the allegation by which it transpires that there is irregularities in the accounting. Counsel further submits that he is ready to clarify all those accounts before Programme Officer, D.R.D.A., Banka who is informant in this case. Counsel further submits that petitioner is in custody since 05.07.2022 having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted **provisional bail** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.Ist, Banka in connection with Suiya P.S. Case No. 21 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

Six months time is hereby granted to the petitioner to clarify the accounts/complete the work and over come all the irregularities made in the account, thereafter certification shall be made by the Programme Officer, D.R.D.A., Banka in this regard. The said certificate shall be produced before the Court below and the Trial Court after considering the said report of the Programme Officer, D.R.D.A., Banka shall confirm the bail.

With this direction, the bail application is disposed off.

(Dr. Anshuman, J.)

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