

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66353 of 2021

Arising Out of PS. Case No.-101 Year-2021 Thana- PANCHRUKHI District- Siwan

RAMDARSHAN PRASAD, Son of Sahdeo Prasad, Resident of Village -
Sadhpur, Ramsapur, P.S.- Dharounda, Distt.- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sarva Deo Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-05-2022 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and
Mr.Parmeshwar Mehta, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Pachrukhi P.S. Case No. 101 of 2021
registered for the offences punishable under Sections 409 and
420 of the Indian Penal Code. The petitioner is in custody in
connection with this case since 02.09.2021. He has no criminal
antecedent.

As per the prosecution story, the petitioner joined in
the school on 15.07.2020 as Sadhan Sevi. The cook-cum-
Assistant had died on 16.02.2020 which was duly informed to



the Education Officer, Pachrukhi by the Principal of the school vide letter dated 10.02.2020. Again in this regard letter dated 06.04.2021 was written by the D.P.O. and information were called for.

It is submitted that the allegation against the petitioner is that he had taken 95 quintals of rice and after death of the cook-cum-Assistant he had paid salary of the said person for about one year.

Learned counsel submits that it is a case of false implication of the petitioner. The concerned office were duly informed regarding the death of the cook-cum-Assistant. Petitioner has remained in custody for more than 8 months in connection with this case but the trial is not likely to be concluded in near future.

Mr. Parmeshwar Mehta, learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case and that the petitioner has remained in custody for over eight months in connection with this case, investigation against him is complete, he has otherwise no criminal antecedent and his presence may also be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bond of



Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Siwan in connection with Pachrukhi P.S. Case No. 101 of 2021, subject to the condition as laid down under Section 437(3) Cr.P.C.

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 steps 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

