

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5352 of 2023

Arising Out of PS. Case No.-103 Year-2022 Thana- ASANWA District- Siwan

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RAMNATH SAH S/O LATE SAKHICHAND SAH Resident of village-
Asaon, P.S.- Asaon, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 409 of the Indian Penal Code.

As per prosecution case, the informant alleged that Rs. 3,24,800/- has been misappropriated by the Mukhiya (petitioner) of Gram Panchayat Raj Asaon which has been deposited in his account for the project of restoration of closed Tube-Well (Nal-Kup) in the financial year 2018-19.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. As per para 3 & 4 of supplementary affidavit, it appears that the work has been



completed in which amount of Rs. 2,20,290/- has been spent. Rest of amount i.e. 1,04,510/- has also been deposited in the Govt. Nal Jal Yojna Gram Panchayat Asaon Bank Account in two terms, thus, there is no misappropriate made by the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 7.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Asaon P.S. Case No. 103 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Siwan.

(Sunil Kumar Panwar, J)

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