

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5312 of 2023

Arising Out of PS. Case No.-63 Year-2019 Thana- BHAGWANGANJ District- Patna

SHAIENDRA KUMAR Son of Late Ram Chandra Bind R/V- Samastichak,
P.S- Bhagwanganj, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti

For the Opposite Party/s : Mr. Parmeshwar Mehta

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 sections 406, 409, 420/34 of the Indian Penal Code.

As per prosecution case, it is alleged that the amount of Rs. 12 lacs was withdrawn for implementation of Nal-Jal Yojna in Bhagwanganj Panchayat by the vice chairman-cum-ward member Poonam Devi and ward secretary Shailendra Kumar (Petitioner). But after physical verification work was not done and the amount of expenses money was not produced by the petitioner.

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 supplementary affidavit, it appears that the concerned J.E. & Technician has done inquiry and Measurement of work and found the work has been completed of Nal-Jal Yojana under Ward-13 of Bhagwanganj Panchayat and Mukiya of concerned gram Panchayat has also given him completion certificate. It is further submitted that the petitioner has got no criminal antecedent and languishing in judicial custody since 22.9.2021.

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 Bhagwanganj P.S. Case No. 63 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Masaurhi, Patna.

(Sunil Kumar Panwar, J)

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