

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6308 of 2023

Arising Out of PS. Case No.-60 Year-2021 Thana- RAGHOPUR District- Supaul

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GHANSHYAM SINGH S/O SACHIDANAND SINGH R/v- Lalpur
Sauropatti, P.S.- Singheshwar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
08.10.2022, in connection with Raghopur P.S. Case No. 60 of
2021, F.I.R. dated 06.03.2021 registered for the offences
punishable under Sections 409 and 420 of the Indian Penal
Code.

Allegation against the petitioner is that he along with
other co-accused persons had illegally withdrawn a tune of
Rs. 46,51,500/- (forty six lacs fifty one thousand five hundred)
belonged to the scheme of Mukhyamantri Gramin Gali-Nali
Pakkikaran Nishchay Yojna.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case merely on the ground that the petitioner was the Panchayat Secretray at the time of the completion of work in question. He further submits that the petitioner was retired from the post of Panchayat Secretary on 31.12.2019 and the present F.I.R. was instituted after his retirement i.e. on 06.03.2021. He further submits that it appears from the F.I.R. itself that the petitioner has deposited Rs. 9,20,100/- in the account of Mukhyamantri Gramin Gali-Nali Pakkikaran Nishchay Yogna and as per allegation the rest amount is concerned, the petitioner has no concern at all and even the informant has not placed any evidence with respect to the misappropriation of the amount in question. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.10.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Birpur, Supaul in connection with Raghopur P.S. Case



No. 60 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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 antecedents, 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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