

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14191 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- DHAKA District- East Champaran

Mukul Ranjan Son of Shrikant Sharma @ Srikant Sharma Resident of Village
- Saratha, Police Station - Dhaka, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Advocate
	:	Mr. Anshu, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 02-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 409 of the Indian Penal
Code.

According to prosecution case, the petitioner being
supplier-cum-contractor had to complete the work under Nal-Jal
Yojana and had executed an agreement and withdrawn Rs.
12,00,000/- through different cheques and after doing some
construction work, he left to do the work. It is further alleged



that after several request made by the informant, the petitioner has not completed the construction work and has misappropriated and embezzled the Government money.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that in fact, the petitioner has granted contract for the supply of goods articles in question. He further submits that it appears from the Annexure Series 2, that the petitioner has supplied the goods in question to the informant and she has given receipt of the same. He further submits that as far as the completion of work is concerned, the counsel for the petitioner seek information under the R.T.I. and the R.T.I. Officer has given the reply that work has already been completed. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 02.12.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the basis of material available on record and the case diary and submits that it appears that the work has been completed and the petitioner carries 4 criminal antecedents other than the present one.



Considering the aforesaid facts and circumstances and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Dhaka P.S. Case No. 57 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 witnesses, 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 antecedent, 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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