

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21340 of 2023

Arising Out of PS. Case No.-17 Year-2020 Thana- MANPUR District- West Champaran

Baidyanath Hazra S/O Late Singhashan Hazra Resident Of Village- Bathana,
P.S.- Majhauria, District- West Champaran, At Present Iti Colony Jay Prakash
Nagar Bettiah, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Manpur P.S. Case No. 17 of 2020 dated 02.06.2020, instituted
for the offence punishable under Sections 420, 409, 120(B)/34
of the Indian Penal Code.

3. The prosecution case, in brief, is that the petitioner
(Panchayat Secretary) along with two contractors took three
signed cheque from the informant to purchase material for Nal
Jal Yojna and withdrew Rs. 10 lakh from her Punjab National
Bank account in the ratio of Rs. 2 lakh (petitioner), Rs. 6 lakh
(Shakil Ahmad) and Rs. 2 lakh (Md. Nasir) but did not start the
work.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he is falsely implicated in this case. It is further submitted that the cheque were encashed in the year 2018 and the F.I.R. came to be instituted in 2020 i.e., after a delay of nearly two years. He further submitted that one co-accused person namely Md. Nasir has been granted bail by a Co-ordinate Bench of this Court vide Order dated 13.05.2022 passed in Criminal Miscellaneous Case No. 72601 of 2021. Lastly, it has been submitted that the petitioner is in custody since 28.01.2023 and has two criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- II, West Champaran, Bettiah in Manpur P.S. Case No. 17 of 2020.

(Khatim Reza, J)

Sankalp/-

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