

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55836 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- BHORE District- Gopalganj

Deepak Kumar, Son Of Karam Chand Resident Of Village- Nawapura, P.O.-
Dahari Ghat, P.S.- Ghosi, District-Mau (UTTAR Pradesh) At Present Posted
As Accountant, Mgnrega At Bhore, P.S.- Bhore, District- Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 409,
420, 467, 468, 471, 120(B) of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and it is alleged that
he joined in the concerned Block as an Accountant on
05.07.2018. It is next submitted that the informant alleges an
amount of Rs.27 Lacs and odd was withdrawn in the name of
making payment for work completed under MGNREGA when
the work was not done under any of the scheme of the
MGNREGA, but was done by the different departments of the



Government.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that he joined as Accountant on 05.07.2018 and the work for which the payment was withdrawn was done prior to his joining and the competent authorities after verifying the work had given go ahead for making for payment under the MGNREGA Scheme and petitioner being Accountant had no option but to prepare cheques. The learned counsel next submits that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case for eliciting the truth.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Bhore P. S. Case No.17 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



The application stands allowed.

However, it is made clear that in the event, if the Investigating Officer files an application before the learned trial Court bringing to its notice that petitioner, despite giving assurance, is not cooperating in the investigation or is not presenting himself when called for, the learned trial Court shall be at liberty to cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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