

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47148 of 2023**

Arising Out of PS. Case No.-521 Year-2017 Thana- MINAPUR District- Muzaffarpur

Satyanarayan Ram son of Ramashish Ram Village- Bairiya Ps- Ahiyapur dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Anish Chandra

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 12-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Minapur PS Case No. 521 of 2017, registered for the offences punishable under Sections 409/34 of the Indian Penal Code.

3. According to the FIR, petitioner being Panchayat Secretary had misappropriated government money of due amount of Rs. 8,93,100/- under scheme of social security pension.

4. Learned counsel for the petitioner submits that petitioner has got clean antecedent and he has been falsely implicated in this case. It is next submitted that the alleged defalcated amount has already been deposited by the petitioner



vide letter no. 1680, dated 17.09.2020 Annexure-2 which annexed with the bail application.

5. Learned APP for the State, on the other hand vehemently opposes the prayer for bail.

6. learned court below at the time of furnishing bail bond is directed to verify the genuineness of letter no. 1680 dated 17.09.2020 (Annexure-2) which suggest that petitioner has already deposited the misappropriated amount.

7. Considering the facts, let the petitioner above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate Ist Class, Muzaffarpur (East) in connection with Minapur P.S. Case No. 521 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with further conditions:-

- (i) 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 liable to be cancelled by the Court below.

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

(iii) 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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