

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45977 of 2022

Arising Out of PS. Case No.-699 Year-2018 Thana- SONEPUR District- Saran

RAM JATAN RAM @ SHRI RAM JATAN RAM Son of Late Raghunandan
Ram R/v- Unhachak, P.S- Dighwara, Dist- Saran At chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of bail in connection with Sonepur P.S. Case No. 699 of 2018 for the offence registered under Sections 420, 409/34 of the Indian Penal Code inasmuch as the earlier prayer of the petitioner for grant of bail was rejected by this Court by an order dated 13.12.2021 passed in Criminal Miscellaneous No. 23676 of 2021.

The petitioner is alleged to have illegally withdrawn a sum of Rs. 23,00,000/- from the account in question, which pertains to the Chief



Minister Saat Nischay Yojana funds, in the capacity of Panchayat Secretary.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 26.12.2020 and the offences alleged are triable by the Magistrate for which the petitioner can at best be convicted and sentenced for a period of three years. It is further submitted that there is no chance of conclusion of the trial in the near future.

This Court had called for a report from the learned court below with regard to the present stage of the trial and the time likely to be consumed for conclusion of the trial, in pursuance whereof the Chief Judicial Magistrate, Saran at Chapra has furnished a report dated 24.11.2022 wherein it has been stated that charges have been framed against the petitioner and the witnesses of the prosecution have been summoned for examination. Thus, this Court finds that there is no chance of conclusion of the trial in the near future and the petitioner has already undergone custody



of more than two years apart from the fact that similarly situated co-accused person has already been granted the privilege of anticipatory bail, hence I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to 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 learned Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 699 of 2018.

(Mohit Kumar Shah, J)

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