

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62238 of 2023**

Arising Out of PS. Case No.-2 Year-2021 Thana- SIKARPUR District- West Champaran

PARLOK PASWAN @ PARLOK KUMAR PASWAN Son of Ramashish
Paswan R/o Pandariya, P.S. - Shikarpur, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishal Prasad, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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

2 27-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
03.04.2023 in connection with Shikarpur P.S.Case No. 02 of
2021, F.I.R. dated 01.01.2021 registered for the offence
punishable under Sections 420,406,409 of IPC.

3. According to the prosecution story in brief is that
the allegation in the nutshell in written application on behalf of
the informant by a letter alleges, there has been a scam in the
ward of Kukura Panchayat including the Ward No.7 of which
president of Ward No.7, Parlok Paswan @ Parlok Kumar
Paswan by not implementing the Government policy in the
Panchayat.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that there is no role assigned in the FIR to suggest that the petitioner was involved in the present crime in question and as per FIR that altogether Rs. 12,50,000/-(Twelve Lacs and Fifty Thousand) was allotted for work in question and the petitioner and co-accused persons defalcated the amount and has not completed the work in question. Learned counsel for the petitioner submits that in fact the work in question has already been completed by the concerned agency as per the guidelines issued by the Government and the petitioner has not defalcated any amount as alleged in the FIR and the co-accused persons, namely, Izharul Haque Ejharul Haque, Chandasi Ram, Md. Shamim Akhtar Gul, Santosh Kumar, Surendra Prasad Kushwaha and Samina Khatun have been granted anticipatory bail or regular bail by different Coordinate Benches of this Hon'ble Court vide orders dated 18.02.2022, 20.03.2023, 11.04.2023, 21.02.2023, 03.04.2023 and 19.12.2022 passed in Cr. Misc. Nos. 52850 of 2021, 66148 of 2022, 62783 of 2022, 63614 of 2022, 4148 of 2023 and 59573 of 2022 respectively and the police, after investigation, submitted chargesheet against the and the



petitioner is in custody since 03.04.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, 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 learned Additional District and Sessions Judge-I, Bettiah, West Champaran in connection with Shikarpur P.S.Case No. 02 of 2021, with the following 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(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 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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