

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56297 of 2022

Arising Out of PS. Case No.-39 Year-2019 Thana- ISMAILPUR District- Bhagalpur

Bablu Das Son Of Birbal Mandal Resident Of Village - Rampura , P.S-
Rajaun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 406, 409, 420 of the Indian Penal Code.

Allegation against the petitioner is of embezzlement of sum of Rs. 10,05,160/- which was given to him for construction of Nali Gali scheme by one Gita Devi who is president of Ward Kriyanwayan Samiti of Wart no.1. and the same work has not been done by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. A statement has been made in para-3 of the petition that the petitioner has got no criminal



antecedent. The petitioner is languishing in judicial custody since 14.7.2022. The petitioner has already done work of Rs. 4,00,000/- and returned remaining amount of Rs. 6,05,160/-. However, the petitioner is ready to deposit the rest of amount i.e. 6,05,160/- (Six lakh five thousand one hundred sixty) in six monthly equal installment commencing from January, 2023 in the bank account of Ward Prabandhan Aiwan Kriyanwan Samiti Ward No.1 /concerned department.

Learned APP appearing for the state has opposed the prayer of regular bail.

Considering the fact that petitioner is ready to make payment the amount of Rs. Rs. 6,05,160/ in six equal monthly installments, this court is inclined to enlarge the petitioner on **Provisional bail.**

The above named petitioner is directed to be released on bail in connection with Ismailpur P.S. Case No. 39 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Naugachia/concerned court.

The provisional bail of the petitioner will be confirmed by the learned Court below on deposit of total embezzled amount of Rs. 6,05,160/- in six equal installments



commencing from January, 2023.

The aforesaid payment will be subject to the final
adjudication of the case.

(Sunil Kumar Panwar, J)

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