

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68623 of 2022**

Arising Out of PS. Case No.-299 Year-2021 Thana- SHAMBHUGANJ District- Banka

JAYANAND THAKUR S/o Late Bhrigunanandan Thakur R/V- Jhakhara,
P.S.- Shambhuganj, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.

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

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

4 23-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Shambhuganj P.S. Case No. 299 of 2021 dated 11.12.2021/ G.R.
No. 3293 of 2021 registered for the offence under Sections 406,
420, 120(B) of the Indian Penal Code.

The petitioner being the Secretary of WIMC is alleged
to have misappropriated the government money to the tune of
Rs. 3,17,846/-which was sanctioned for the implementation of
Nal Jal Yoganja for the Ward No. 4 Jhakhara Gram Panchayat
under the Chief Minister Seven Nishchay Yojana.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the petitioner happens to be



Panchayat Secretary of the Ward No. 4, Jhakhara Gram Panchayat and it is alleged that the petitioner and the President of WIMS has misappropriated the government fund under the Nal Jal Yojana. He further submits that petitioner has not played any role in the execution of Nal Jal Yojana rather the work under the scheme is executed by the local ward member who happens to be the President of WIMC. He further submits that the petitioner has not misappropriated even a single penny of the government fund and he has falsely been implicated in this case only being the Secretary of WIMC. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 11.01.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and period of custody, let the, above named, petitioner 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 A.C.J.M., Banka in connection with Shambhuganj P.S. Case No. 299 of 2021 with the following conditions:-

(1) 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 canceled by the Court below.

(2) 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.

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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