

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70829 of 2022

Arising Out of PS. Case No.-36 Year-2020 Thana- SARMERA District- Nalanda

Praveen Kumar @ Praveen Kumar Pranay Son of Rajeshwari Prasad Singh
R/o Village- Sarmera, P.S.- Sarmera, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sarmera
P.S. Case No. 36 of 2020 registered for the offence under
Sections 406 and 420 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.09.2022.

The allegation against the petitioner is to defalcate
public money as being ward secretary of ward no. 4 of Sarmera
Panchayat, Dist.-Nalanda.

Learned counsel appearing on behalf of the petitioner
submitted that work of Rs. 13,30,003/- has already been



completed against sanction amount of Rs. 13,31,800/-, where defalcation appears to be of Rs. 1797/-. It is further submitted that Rule-3(4) of Bihar Ward Sabha and Ward Implementation and Management Committee Conduct of Business Rule, 2017, never empowers this petitioner to involve in such alleged official activities. It is further submitted that the petitioner was not authorised signatory of the bank account relating transaction. It is further submitted that the allegation is very much general and omnibus. While concluding the argument, it has been submitted that the allegation is politically motivated, where petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that defalcation amount is very marginal.

Considering the facts and circumstances as mentioned above, as allegation appearing raised due to vague reason of unsatisfactory work, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has submitted, let the petitioner, above named, is directed to be released on bail in connection with Sarmera P.S. Case No. 36 of



2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/concerned Court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

U		T	
---	--	---	--

