

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81409 of 2023

Arising Out of PS. Case No.-201 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Rohit Kumar Son Of Anup Kumar @ Anup Ram R/O Vill - Chandi, P.S. -
Charpokhari, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 406, 409, 420/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons have misappropriated the public money as the work of soil filling and paver work in Garhani Block under Harpur Panchayat, Ward No. 4 in village-Charpokhari Sheopur Mandir to Nayak Sah house was not completed within



stipulated period of time.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is the Secretary of Ward Executing and Management Committee, Ward No. 4. From perusal of the Measurement Book (MB), it appears that work has been completed by the work agency but the Junior Engineer and E.D.O has wrongly reported to the District Magistrate, Ara that work has still not been completed. The measurement book is annexed as Annexure-P/2 to the petition. The petitioner is languishing in custody since 24.08.2023. Moreover, Chairman of Ward Implementation and Management Committee has already been granted bail vide order dated 12.10.2023 passed in Cr. Misc. No. 63759 of 2023.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Charpokhari P.S. Case No. 201 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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