

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7047 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- GHOGHARDIHA District- Madhubani

Heera Nand Mishra Son Of Late Parma Nand Mishra Resident Of Village-
Chikna, Ps- Ghoghardiha, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 17-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner has preferred this application for
grant of regular bail in connection with Ghoghardiha P.S. Case
no. 73 of 2023 registered under sections 420, 409 and 34 of the
Indian Penal Code.
3. As per the prosecution case, on being given an
advance amount of Rs. 13 Lakhs for carrying out work under
the Chief Minister Rural Drinking Water Scheme, it is stated
that on going through the measurement book and the work done
it transpired that the petitioner had not completed the work and
as a result had defalcated a total sum of Rs. 1,60,751/-.
4. Learned counsel for the petitioner submits that
from the letter of the Panchayat Secretary, Gram Panchayat Raj,
Chikana addressed to the Block Development Officer,
Ghoghardiha, Madhubani the petitioner had got the work



completed. Pursuant to the said letter the Block Development Officer, Ghoghardiha (Madhubani) had given a note addressed to the Panchayat Secretary and the Technical Assistant to the effect that steps may be taken for exoneration of the petitioner. The petitioner is in custody since 21.9.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the letter contained as in Annexure- 2 to the petition together with the note dated 21.9.2023 of the Block Development Officer, Ghoghardiha, Madhubani and the petitioner having remained in custody for more than four months since 21.9.2023, the petitioner is directed to be enlarged on bail in connection with Ghoghardiha P.S. Case no. 73 of 2023, 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, Jhanjharpur, Madhubani.

(Partha Sarthy, J)

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