

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16495 of 2023

Arising Out of PS. Case No.-21 Year-2022 Thana- SUIYA District- Banka

Suresh Kumar Paswan @ Surash Paswan Son of Maha Prasad Paswan R/o H.
No. 130, Bastacolla Colliery, Area No. 9, Near G.M Banglow, Dhansar, Bera,
Dhansar, Dhanbad, Jharkhand 828106

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

14 03-07-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in Suiya P.S.
Case No. 21 of 2022 registered for the offences punishable
under Sections 406/408/409/420 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
vide orders dated 11.01.2024 and 15.02.2024, the District
Magistrate, Banka, was directed to submit a detailed report
whether the work allotted under 'MANREGA' schemes has
been completed or not and if not, what amount has been
defalcated so far as this petitioner is concerned.

4. Learned counsel for the State submits that the
report has been annexed in the supplementary counter affidavit.



In the said report it has been indicated that the total alleged defalcation made by the petitioner is Rs.1,87,315/- (rupees one lac eighty seven thousand three hundred and fifteen) under three schemes. Counsel for the State also submits that recommendation for filing the certificate case has also been made.

5. Learned counsel for the petitioner submits that he is ready to deposit the said amount before the State Government but only after release on anticipatory bail. He is ready to pay the said amount within one month.

6. In this background, the petitioner, above named, is directed to be released on **provisional anticipatory bail on deposit of Rs.50,000/- (Fifty thousand)** on the date of surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs.30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Banka/Successor Court in connection with Suiya P.S. Case No.21 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. **The petitioner is directed to pay the rest amount within sixty days thereafter. Upon payment of the**



amount the trial Court shall confirm his provisional bail, but in case he shall not deposit the said amount within the said period mentioned above, his provisional bail shall be cancelled.

8. With this direction, this application is disposed off.

(Dr. Anshuman, J)

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