

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21772 of 2024**

Arising Out of PS. Case No.-162 Year-2020 Thana- DHAMDAHA District- Purnia

1. NEHA BHARTI Wife of Chandan Kumar Mahto Resident of Village-Bardela, P.S.-Dhamdaha, District-Purnea.
2. SATYA NARAIN MAHTO Son of Rameshwar Mahto Resident of Village-Laxmipur, P.S.-Dhamdaha, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

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

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

3      19-04-2024                      Heard Mr.Bijendra Kumar Singh, learned counsel for the petitioners and Mr.Anil Kumar, learned A.P.P. for the State.

2. Learned counsel for the petitioners is permitted to make necessary correction in para-4 of the bail petition in course of the day.

3. The petitioners seek bail, who are in custody since 13.06.2023 in connection with Dhamdaha P.S.Case No.162 of 2020, F.I.R. dated 31.07.2020 registered for the offence punishable under Section 420/406 of the Indian Penal Code.

4. According to prosecution case, petitioner No.1 being the Member of the Managing Committee and petitioner No.2 being the Manager of PACS sold 1612 quintal paddy in the



open market illegally and committed misappropriation of the government fund of Rs. 30,13,600/-.

5. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR and from a bare perusal of the FIR it appears that there is general and omnibus allegation against the petitioners and there is no specific role of the petitioners and the informant has not stated anything about the petitioners and petitioner No.1 is the Member of the Managing Committee and petitioner No.2 is the Manager of PACS and Chairman of the PACS, namely, Chandan Kumar @ Chandan Mahto has been granted bail by this Court vide order dated 04.07.2023 passed in Cr. Misc. No.16742 of 2023, co-accused persons, namely, Ramesh Marandi, Vikram Chandra Prakash, Anita Devi and others have also been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 09.12.2022, 16.12.2022 and 24.01.2024 passed in Cr. Misc. Nos.52498 of 2022, 49187 of 2022 and 56728 of 2023 respectively and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in



custody since 13.06.2023.

6. Learned APP for the State has opposed the prayer for bail of the petitioners.

7. Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Purnea in connection with Dhamdaha P.S.Case No.162 of 2020, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

