

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58056 of 2024

Arising Out of PS. Case No.-403 Year-2021 Thana- DAUDNAGAR District- Aurangabad

MUNGESWAR CHANDRABANSHI @ MUNGESHWAR
CHANDRABANSHI @ MUNGESHWAR PRASAD SON OF LATE
PURAK CHANDRABANSHI R/V- VILLAGE- FADARPUR, P.S.-
DAUDNAGAR, DISTT.- AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Meena Singh
Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 27-09-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Daudnagar Police Station Case No. 403 of 2021, registered for the offence punishable under Sections 406/407/408/409/420 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that for execution of Government scheme under Nal Jal Yojna, a sum of Rs. 9,50,000/- was withdrawn by the Ward Execution and Management Committee of Ward No. 9, but work regarding water connection and supply of water has not been completed. As per technical report,



only work to the extent of Rs. 5,10,698/- has been done and the rest amount has been defalcated by the Ward Secretary, Ward Chairman and Ward Member of Ward No. 9. The petitioner is are the Ward Chairman of the Ward Execution and Management Committee.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged inasmuch as the money withdrawn for execution of the work was handed over to the contractor, namely, Santosh Kumar of Aadarsh Enterprises. He next submits that petitioner is in custody since 06.05.2024, and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.
5. Regards being had to the submissions made by the parties and taking into consideration the materials available on record and the fact that the petitioner is in custody since 06.05.2024 and charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand)



with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Daudnagar Police Station Case No. 403 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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