

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 55779 of 2024

Arising Out of PS. Case No.-52 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Jitendra Kumar @ Jitendra Paswan S/O Late Ram Chandra Paswan R/O
Village- Lakhanpur, P.S- Mohiuddin Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Om
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 420, 406, 409 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that petitioner was Secretary of the Ward
Committee along with Lalita Devi who was President of the
Committee, further, they had withdrawn an amount of Rs.
13,92,000/-and transferred an amount of Rs. 12,47,500/- in the
account of Rishi under Nal Jal Yojana Scheme, but then the
work done under the said Scheme in the year 2017-18 worth Rs.



5,66,614/-, as such, the rest of the money was misappropriated.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of *Annexure-3*, i.e. Memo dated 05.01.2020, it would manifest that the petitioner was authorised to operate the bank accounts from 05.01.2020 onwards but the allegation of withdrawal of money from the bank is prior to that period. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000 /- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 52 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



7. However, it is made clear that in the event if the investigating officer of the case files an application before the learned trial court brining to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required the learned trial court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

8. **The application stands allowed.**

(Satyavrat Verma, J.)

Sudhanshu/-

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