

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62371 of 2024

Arising Out of PS. Case No.-3 Year-2023 Thana- ANTI District- Gaya

Dilchand Sao Son of Late Chalitar Sao R/V- Village- Chanaini, P.S.- Anti,
Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 16-12-2024 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 Anti P.S. Case No. 03 of 2023 dated 17.01.2023 registered for the offences punishable under Sections 406, 409 and 420 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that in the village Chanaini brick work and PCC road were being done under Mukhyamantri Saat Nischay Yogjna from the house of Sudarshan Sao to Kushum Das and the estimated cost was Rs. 7,94,500/- for which notice was sent to the petitioner, who was Ex-Ward Member and also to Panchayat Secretary, Rambali Prasad by the Secretary, Harsh Ranjan Kumar but till date work



was not completed by the ward member and the said money was embezzled.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. It is further submitted that there is no defalcation of government money as alleged. The petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.05.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner. As per Letter No. 3100 dated 09.12.2024, a report regarding completion of PCC work has been sent to this Court in which it has been mentioned that only 100 feet PCC road was constructed till date and total Rs. 7,94,500 has been paid for the said work.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Gaya in connection with Anti P.S. Case No. 03 of 2023, with the



condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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