

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59340 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- SATHI District- West Champaran

Rajkishor Sah @ Rajkishore Sah S/O Ganesh Sah R/O Village- Nunipakad,
P.S- Sathi, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 409, 420, 34 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with others are alleged to have indulged in defalcation of amount which was withdrawn for work of Nal Jal Scheme in Ward No.7 of the Bahuarwa Gram Panchayat. It is alleged that the work has not been completed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner was then Ward secretary and he has falsely been implicated in this case. It is also submitted that there is general



allegation of committing financial irregularities against the petitioner. A supplementary affidavit has been filed bringing on record the letter of Land Reforms Deputy Commissioner, Narkatiaganj dated 05.04.2023 to the effect that work in question has already been completed. The petitioner is languishing in custody since 14.05.2023. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sathi P.S. Case No. 78 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Chief Judicial Magistrate, 3rd, Bettiah at West Champaran.

(Sunil Kumar Panwar, J)

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