

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71399 of 2024

Arising Out of PS. Case No.-51 Year-2023 Thana- KORMA District- Sheikhpura

Ranjit Kewat @ Ranjit Kumar son of Devcharan Kewat, R/o Village- Gagaur,
PS- Korma, Dist- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-09-2024 Heard Mr. Bipin Kumar, the learned counsel for the
petitioner and Mr. Anil Kumar, the learned Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
02.08.2024, in connection with Korma P.S. Case No. 51 of
2023, FIR dated 13.03.2023, registered for the offences
punishable under Sections 409 and 420 read with Section 34 of
the Indian Penal Code.

3. According to the prosecution case, in the Ward No.
03 of village- Gangaur under Plan No. 04 of 19-20 of Gram
Panchayat Raj, the work of earth filling and lying of bricks was
inspected by the senior Deputy Collector, Sheikhpura in which it
was found that the then various officials were jointly involved in
misappropriation of Government funds.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that as per allegation in the FIR, the petitioner in collusion with the Panchayat Secretary, Mukhiya and Ward members has defalcated Government amount of Rs. 4,25,000/- (Rupees four lakh and twenty-five thousand only) of Nal-Jal Yojana. He further submits that although there is specific allegation against the petitioner in the FIR, the petitioner is also named in the FIR, but the co-accused person namely, Rubi Ranjana Kumari, who happened to be the Mukhiya of the Gram Panchayat has been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 25.09.2023 passed in Cr. Misc. No. 57615 of 2023 and she has given an undertaking before this Court that she will deposit the entire defalcated amount and in view of the aforesaid, the Mukhiya has deposited all the defalcated amount before the competent authority and in view of the aforesaid, no case is made out against the petitioner and petitioner is in custody since 02.08.2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for



bail of the petitioner and submits that petitioner is named in the FIR and apart from that, petitioner carries one criminal antecedent of similar nature other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sheikhpura, in connection with **Korma P.S. Case No. 51 of 2023**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner tampers 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 learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed



his criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. 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)

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