

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76530 of 2024

Arising Out of PS. Case No.-53 Year-2022 Thana- BHADAUR District- Patna

Rajnandan Mahto @ Sri Raj Nandan Mahto, President of Ward Kriyanwayan and Prabandhak Samiti, S/o- Manju Mahto @ Manju Mahot R/o Vill- Chanainiya, P.S. Bhadaur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-10-2024 Heard Mr.Rudra Deo, learned counsel for the petitioner and Mr.Parmeshwar Mehta, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 14.06.2024 in connection with Bhadaur P.S. Case No. 53 of 2022, F.I.R. dated 04.06.2022 registered for the offence punishable under Sections 406,409,420,34 of IPC.

3. Allegation against the petitioner is that he has misappropriated the Government fund and did not complete the work under the Scheme of Jal Nal Yojna.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as



alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and although the petitioner and other co-accused persons have completed the work in question and petitioner and other co-accused persons falsely been implicated in the present case. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.06.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, nature of allegation and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., Barh, Patna in connection with Bhadaur P.S. Case No. 53 of 2022, with the following conditions:-

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

(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 court below 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 court below 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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