

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77737 of 2023

Arising Out of PS. Case No.-282 Year-2021 Thana- SAHPUR District- Bhojpur

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MOKIR MIAN @ MD MOKIM MIAN S/O LUKMAN MIAN VILLAGE-
RUDRANAGAR, PS. SHAHPUR, DISTRICT- BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Pathak, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Shahpur P.S. Case no. 282 of 2021, registered under sections 409, 406, 420 and 34 of the Indian Penal Code.

3. As per the prosecution case, four accused persons including the petitioner herein who is said to be member of the ward are said to have defalcated a total sum of Rs. 14 lakhs meant for the *Nal Jal Yojana*.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on account of his being the elected ward member. It is not the petitioner alone who can withdraw the amount nor any material has transpired to directly connect the petitioner with the alleged



defalcation. The petitioner has no criminal antecedent and is in custody since 30.8.2023. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, his being in custody for 6 months since 30.8.2023, his not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Shahpur P.S. Case no. 282 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara, Bhojpur.

(Partha Sarthy, J)

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