

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1034 of 2024

Arising Out of PS. Case No.-292 Year-2022 Thana- BARACHATTI District- Gaya

Suresh Chaudhary Son Of Janki Chaudhary Resident Of Village - Partapi, P.S.
- Barachatti, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-01-2024 1. 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 Barachatti P.S. Case no.
292 of 2022 registered under section 409 of the Indian Penal
Code.

3. As per the prosecution case, the petitioner happens
to be the Ward Chairman of the ward concerned. It is stated that
under the Government scheme, the amount was to be withdrawn
on the joint signature of the Chairman and the Secretary of the
ward. Amount as mentioned was withdrawn, however on
inquiry it transpired that work had not been carried out for the
total amount withdrawn. As such the F.I.R.

4. Learned counsel for the petitioner in reference to
the contents of the F.I.R and especially the allegations against
the petitioner therein as contained on page no. 17 of the petition
submits that substantial work has been done. Allegations are



false and concocted. Referring to the order granting anticipatory bail to the Ward Secretary as contained in Annexure- P/2 it is submitted that accepting the allegations for the sake of argument the difference amount of Rs. 3,59,086/- has been deposited. The petitioner is in custody since 30.5.2023 and 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 allegations against the petitioner in the F.I.R, grant of Anticipatory bail to co-accused vide order contained in Annexure- P/2 to the petition, the petitioner being in custody for more than 7 months since 30.5.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Barachatti P.S. Case no. 292 of 2022, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya.

Partha Sarthy, J)

Harsh/-

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