

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3053 of 2024

Arising Out of PS. Case No.-617 Year-2019 Thana- SARAIYA District- Muzaffarpur

Vikram Kumar, son of Naresh Ram, Resiident of Village Sirkohiya ps saraiya
(jaitpur op) District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Brahmaputra Singh Ishu, Advocate

For the Opposite Party/s : Mr. Brahmaputra Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 617/2019 lodged on 13.09.2019 under Sections 409/420/34 of the Indian Penal Code.

3. As per the prosecution case, it has been alleged that the Ward Member and the Ward Secretary (petitioner) had taken Rs.22,09,600/- but has not completed the work even after lapse of 18 months under the Nal-Jal Yojna.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. In fact, the said work has to be done by the contractor. Moreover, 90 % of the work has already been completed and for the rest 10% of the work, the petitioner undertakes that he shall complete the same within three months. The petitioner is in custody since



22.09.2023 having no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that without ascertaining the completion of the work, the petitioner may not be granted bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted provisional bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, West Muzaffarpur, in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 617/2019, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

7. The provisional bail of the petitioner shall be confirmed by the trial Court on the production of the completion certificate by the petitioner after obtaining the same from competent authority within four months from the date of release. In the event, the petitioner fails to produce the aforesaid completion certificate, the trial Court shall cancel the provisional bail of the petitioner.

(Dr. Anshuman, J)

Ashwini/-

U			
---	--	--	--

