

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3573 of 2025

Arising Out of PS. Case No.-93 Year-2023 Thana- BHARGAMA District- Araria

Navin Kumar @ Navin Mandal Son of Surendra Mandal, Resident of Village
- Paikpar, Ward No.04, P.S. - Bhargama, District - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 3 28-01-2025 Heard Mr. Ramesh Kumar Singh, the learned counsel
for the petitioner and Mr. Arun Kumar Pandey, the learned
Additional Public Prosecutor for the State.
2. Petitioner seeks regular bail who is in custody since
14.11.2024, in connection with Bhargama P.S. Case No. 93 of
2023, FIR dated 05.04.2023, registered for the offences punishable
under Sections 406, 420, 467 and 468 read with Section 34 of the
Indian Penal Code.
3. Earlier the petitioner has moved before this Hon'ble
Court in Cr. Misc. No. 79259 of 2024, which was dismissed as
withdrawn vide order dated 03.12.2024.
4. According to the prosecution case, the petitioner
along with other co-accused persons misappropriated Government
fund to the tune of Rs. 26,60,000/- (Twenty-six lakhs and sixty



thousand only), which was allocated under Prime Minister Awas Yojna.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per allegation in the FIR, the Government official has transferred some amount in the account of the petitioner, although the same was for the beneficiary scheme.

6. Learned counsel for the petitioner on instruction fairly submits that petitioner is ready to return the amount, which was credited in his account long back in the year 2017-18 and 2020-21.

7. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

8. 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, Araria, in connection with **Bhargama P.S. Case No. 93 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.

(iv). Petitioner shall deposit amount to the tune of Rs. 2,80,000/- (Rupees two lakhs and eighty thousand only) in the account of District Treasury and produce the same at the time of furnishing the bail bond.

(Rajesh Kumar Verma, J)

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