

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8434 of 2025

Arising Out of PS. Case No.-251 Year-2022 Thana- HARNAUT District- Nalanda

1. Sudhish Kumar Singh Son of Vijay Kumar Singh Resident of village - Gonawan, Police Station - Harnaut, District - Nalanda.
2. Ramdas Ravidas Son of Dhanudhari Das Resident of village - Tora, Police Station - Sarmera, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel appearing on behalf of the petitioners, learned Additional Public Prosecutor appearing on behalf of the State and learned counsel appearing on behalf of informant.

2. The both accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Harnaut P.S. Case No. 251 of 2022, registered for the offences punishable under Sections 409/420 of the Indian Penal Code.

3. As per FIR, allegation against both petitioners appears to defalcate an amount of Rs. 3,33,600/- being Ex-Mukhiya and Panchayat Secretary of Gonawan Panchayat.



4. Learned counsel appearing on behalf of the petitioners submitted that allegation of misappropriation and cheating appears false on its face, as no such allegation made out *prima facie* from the narration of FIR *qua* petitioners. It is pointed out that due to local political difference, petitioners who are Ex-Mukhia and Panchayat Secretary were implicated with present case. In this context, it is submitted that during investigation police categorically stated in para -68 of the case diary that bill and voucher up to Rs. 3,33,600/- found available, and only Rs. 4,750/- was found balance as no voucher was found in support thereof, which was subsequently deposited by these petitioners with government on 27.08.2024 in terms of Annexure-2.

5. Learned APP opposed the prayer of bail

6. Considering the aforesaid facts and circumstances and by taking note of fact as explanation of defalcated amount *prima facie* appears available during investigation by supporting bills/vouchers accordingly, both above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/concerned Court, where the case is pending in connection with Harnaut P.S. Case No. 251 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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