

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22275 of 2025

Arising Out of PS. Case No.-228 Year-2023 Thana- MURLIGANJ District- Madhepura

Sitaram Ram @ Shri Sitaram Ram S/O Vikha Ram The Then Panchayat
Sachiv, R/O Village- Parihari, P.S- Kumarkhand, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Murliganj P.S. Case No. 228 of 2023 for the offence under sections 406, 409, 420 and 34 of the I.P.C. lodged on 18.06.2023 by the informant, Md. Ashif.

3. As per the prosecution story, the informant, a Panchayat Secretary of Gram Panchayat Jitapur in the District of Madhepura alleged that the then Mukhiya and the Panchayat Sachiv (petitioner herein) defalcated the Government amount to the tune of Rs. 45,00,000/- (Forty Five Lakhs). This led to the FIR.

4. Earlier, the petitioner moved before this Court for anticipatory bail which came to be rejected as the peremptory order was not complied. The order was passed in Cr. Misc. No.



34704 of 2024.

5. Once again, the present petition has been filed and learned counsel for the petitioner submits that without accepting the allegation in the FIR and/or outcome of the present case, since an allegation has come against the two accused including the then Mukhiya Anjani Devi of having defalcated Rs. 45,00,000/-, he is ready to pay half of the amount [Rs. 22,50,000/- (Twenty Two Lakhs and Fifty thousand)], he has no criminal antecedent and shall be cooperating in the investigation, diligently appearing in trial.

6. Learned APP though opposes the prayer concede that if he is ready to pay half of the Government amount, an appropriate order can be passed.

7. Taking into account the aforesaid facts, though earlier, his anticipatory bail application was rejected, as recorded above, now, as the petitioner has decided to pay half of the defalcated amount on his own, has undertaken to co-operate in the investigation/diligently appear in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. It is made clear that at the time of execution of bail bond, the petitioner will be submitting a Demand Draft of Rs.



22,50,000/- (Twenty Two Lakhs and Fifty thousand) issued by the local State Bank of India Branch addressed to the Deputy Development Commissioner and shall be submitting it before the learned Trial Court. After checking the credentials, the same shall be handed over to the appropriate authority in accordance with law.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M.-1st Class, Madhepura, in connection with Murliganj P.S. Case No. 228 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

