

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42168 of 2025**

Arising Out of PS. Case No.-133 Year-2023 Thana- HAYAGHAT District- Darbhanga

Krishna Nandan Mahto Son of Raj Kishore Mahto R/O Village- Bilashpur,
East, P.S.- Hayaghat, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

3 20-08-2025 Heard Mr. Ajay Kumar Jha, learned counsel for the
petitioner and Mr. Rajiv Nayan, learned APP for the State.

2. The petitioner has prayed for bail in connection with Hayaghat P.S. Case No. 133 of 2023 registered for the offence punishable under Sections 420, 406, 409 read with Section 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner has misappropriated altogether Rs. 6,84,828/- of *Nal Jal Yojana*. Allegation is that altogether Rs. 17,00,000/- were transferred for the said plan, but the petitioner has performed the work of only Rs. 10,15,172/-.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case. He also submits that *vide Annexure-P/2*, he has informed the District Magistrate that one Rudal Paswan is causing hindrance in the work and he has stopped the work. It has also been submitted that he has submitted all the bills to the concerned authorities but completion report has not been handed over to him. According to the learned counsel for the petitioner, the petitioner has performed all his work and has not embezzled any sum. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It has lastly been submitted that the petitioner is languishing in judicial custody since 28.10.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with a condition that while accepting the bail bond, the trial court will verify whether the petitioner has completed the allotted work or not.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VI, Darbhanga in connection



with Hayaghat P.S. Case No. 133 of 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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