

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 52653 of 2025

Arising Out of PS. Case No.-392 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Chulhai Sahni S/o- Dhodha Sahni Village- Jata W.No-6, Ps- Gaighat Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Adv

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Gaighat P.S. Case No. 392 of 2023 registered for the offence punishable under Sections 409, 420, 34 of the Indian Penal Code.

3. The case of the prosecution on the basis of written report of Manish Kumar, Panchayat Secretary of Gram Panchayat Raj, Jata, is that Rs.19,95,600/- was deposited in the account of Management Committee for execution of work under Chief Minister's 7th Resolution Plan (7th Nishchay Yojna) but the petitioner, who was ward member, did not get the work completed. As per the report of Naina Kumari, Technical Assistant, when spot inspection of the work completed was done



then many anomalies were found. The petitioner did not respond to the notices and reminders and did not get the work done as per the specifications.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The petitioner has no criminal antecedent. Learned counsel further submits that the petitioner has been falsely implicated in this case. It is further stated that the estimate amount of the said Yojna was Rs. 19,95,600/- and the amount withdrawn by the said Samiti was Rs. 19,58,500/- and after verification, measurement book of Rs. 19,60,311/- was prepared and the rest amount is lying in the bank account of Ward Kriwanyan and Prabandhan Samiti. The petitioner is in custody since 03.04.2025.

5. On the other hand, learned APP appearing for the State opposes the prayer for regular bail of the petitioner and submits that the offence alleged are heinous in nature because the government money meant for a welfare scheme has been embezzled by the petitioner.

6. Considering the fact that in similar circumstances, this Court has granted anticipatory bail to other accused persons vide order dated 14.05.2025 passed in Cr. Misc. No. 17760 of



2025 and order dated 23.04.2025 passed in Cr. Misc. No. 19166 of 2025 and also given the fact that investigation has already stands completed by filing charge-sheet, let the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gaighat P.S. Case No. 392 of 2023, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below 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 court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

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