

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64706 of 2025

Arising Out of PS. Case No.-135 Year-2022 Thana- BIBHUTIPUR District- Samastipur

Ram Swarth Singh @Ramswarath Singh S/O Rambahadur Singh R/O Village
- Mahishi , Police Station - Bibhutipur , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bibhutipur P.S. Case No. 135/2022 dated 05.04.2022 registered for the offences punishable u/ss 409 and 420 of the Indian Penal Code.

3. As per the prosecution case, the informant being a Panchayat Secretary of the Gram Panchayat, Mahisi has alleged that despite receipt of the money of Rs. 12,81,600/- the petitioner, who is the ward secretary, did not complete the work of Nal Jal Scheme.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is further submitted that the technical assistant has given a representation that the defalcated amount of Rs. 3,77,251/- has to be recovered from the contemporary ward chairman and ward secretary (petitioner). It is further submitted that the Mukhiya of the village along with the other accused persons took cheque from the ward member, Ram Chandra Das, but they did not perform the above-mentioned work of Nal Jal Yojna and in this respect, a Complaint Petition No. 85 of 2022 has been filed in the court of 3rd Additional Sessions Judge-cum-Special, SC/ST Act, Samastipur. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 09.12.2022 passed in Cr. Misc. No. 47478 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Rosera, Samastipur in connection with Bibhutipur
P.S. Case No. 135/2022, with the condition/s:-

(i). The petitioner is directed to remain physically
present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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

