

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81126 of 2025

Arising Out of PS. Case No.-142 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

Banarasi Ram S/o Late Dukhdwan Ram @ Dhukhan Ram Resident of Vill-
Pipariya @ Pipara, P.S.- Durgawati, Distt- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-12-2025 Heard Mr. Dharmendra Kumar Singh, learned
counsel for the petitioner and Mr. Binod Kumar, learned APP
for the State.

2. The petitioner has prayed for bail in connection
with Durgawati P.S. Case No. 142 of 2023 registered for the
offence punishable under Sections 420, 409, 34 of of the Indian
Penal Code.

3. The case of the prosecution in short is that the
District Magistrate of Kaimur constituted an inquiry on gram
panchayat yojana and found misappropriation of government
money by the Mukhiya, Panchayat Secretary, as well as the
member secretary, junior engineers, and ward members.

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 there is an allegation that altogether eight persons have defalcated Rs 25,00,000/-. Learned counsel for the petitioner submits that in this case co-accused persons have been granted anticipatory bail by the learned co-ordinate bench of this court vide Cr. Misc. Nos. 75009 of 2023, 83187 of 2023, 19243 of 2024, and 85110 of 2023 with the condition that they jointly deposit Rs. 25,00,000/- to the State Exchequer. He further submits that the entire amount has been deposited by other co-accused persons, who have been granted anticipatory bail by the learned co-ordinate bench. It has further been submitted that the whole defalcated amount has been deposited and the petitioner is in custody since 26.08.2025. It has also been submitted that the petitioner is a retired person. Moreover, the petitioner is languishing in judicial custody since 26.08.2025.

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. 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 JMFC Court No. 04/SDJM, Mohania Kaimur at Bhabua in connection with Durgawati P.S. Case No. 142 of 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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