

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87651 of 2024

Arising Out of PS. Case No.-160 Year-2022 Thana- HUSSAINGANJ District- Siwan

1. Vidyalal Manjhi S/o Late Shiv Pujan Manjhi R/o village - Badram Bararam ,
P. S - Siwan Town , District - Siwan
2. Radha Devi W/o Shivram Ram R/o village - Badram Bararam , P. S - Siwan
Town , District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2025 Heard Mr. Ramadhar Shekhar, learned counsel for the

petitioners and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Hussainganj P.S. Case No. 160 of 2022, F.I.R.
dated 20.06.2022 for the offences punishable under Section 409 of
the Indian Penal Code.

3. According to prosecution case, the petitioners
have not completed the work of Nal Jal Yojana to every house
under Mukhya Manti Sat Nischay Yojana in the period of three
years.

4. Learned counsel for the petitioners submits that
petitioners have clean antecedent and they have falsely been



implicated in the present case. Petitioner no. 1 is nominated Secretary of Ward No. 13 and petitioner no. 2 is Elected Ward Member of Ward No. 13 of Gram Panchayat Raj, Badram. He further submits that although the petitioner had received the amount in question from the competent authority and thereafter the petitioners have completed the work in question and the Junior Engineer has submitted the M.B. Book which suggests that the petitioners have completed the work in question and it also appears from the M.B. Book that the petitioners have completed the work which is acceded Rs. 5,000/- from the allotted amount.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts that the petitioners have completed the work in question and the Junior Engineer of the concerned area has submitted that M.B. Book which suggests that the petitioners have completed the work in question, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Siwan in connection with Hussainganj P.S. Case No. 160 of 2022, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S.,
2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J.)

Jyoti Kumari/-

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