

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57325 of 2025

Arising Out of PS. Case No.-331 Year-2021 Thana- COMPLAINT CASE - DANAPUR
District- Patna

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Jay Kumar Prasad @ Jay Kumar son of Ram Vilas Prasad @ Ram Nivas Sao
R/O VILL AND PO-BANAULI KHURD, PS-KHIRIMORE, DIST-PATNA
... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Sunil Kumar son of Laxman Yadav Resident of Ward no. 14 Village-
Panchayat Khanpura, Taranpur, Village- Mankudha, Ps- Khirimore, Dist-
Patna
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mrs. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. Despite valid service of notice upon O.P. No.
2 vide order of this Court dated 12.11.2025, no one has
entered appearance on behalf of O.P. No. 2.

3. The petitioner apprehends his arrest in
connection with Complaint Case No.331(C) of 2021
registered for the offence punishable under Sections /406,
420, 120B of the Indian Penal Code.

4. As per the FIR, the petitioner, who was
holding the post of Mukhiya at the time of occurrence, is
alleged to have been responsible for the embezzlement of



funds pertaining to work carried out under the Nal Jal Yojana.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the amount alleged to have been allocated under the scheme has already been deposited by the petitioner, as evident from Annexure-

4. It is contended that, for ulterior motives, the petitioner has been implicated solely because he was the Mukhiya during the period when the allocation of funds was made. It is further submitted that the disputed amount to the tune of ₹22,02,900/- has already been transferred to the account of the Ward Kriyayavan Avam Prabandhan Samiti, Ward No. 14. Lastly, it is submitted that the petitioner has four criminal antecedents and is on bail in all the cases.

6. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

7. Considering the submission made on behalf of the petitioner that the disputed amount has already been deposited in the concerned account, let the above-named petitioner be released on bail, in the event of his arrest or



surrender before the learned Court below within a period of six weeks from today, 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 Judicial Magistrate, First Class, Danapur, Patna/Successor Court in connection with Complaint Case No.331(C)/2024, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing



any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

8. The petitioner is directed to produce the documents to apprise the learned Court below regarding the deposit made by him in the Ward Kriyayavan Avam Prabandhan Samiti, Ward No. 14, and if, upon verification, the same is found to be genuine, only then shall the bail bonds of the petitioner be accepted.

(Ajit Kumar, J)

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