

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1147 of 2026**

Arising Out of PS. Case No.-576 Year-2022 Thana- BASANTPUR District- Siwan

1. Jay Prakash Rai, Son of Sheojee Rai, Resident of Village- Kumkumpur, P.S.- Basantpur, District- Siwan
2. Laldeo Rai, Son of Asarfi Ray, Resident of Village- Kumkumpur, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

4      25-02-2026                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 406, 409 and 120(B) of IPC.

3. The case of the prosecution, in short, is that the Secretary of Panchayat Kumkumpur ward no. 14 has withdrawn Rs. 14,39,500/- but has not completed the work. It is alleged that the work of Nal-Jal-Yojana has not been completed by Vishwanath Rai along with these petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence.



Learned counsel for the petitioners has submitted that they are the Ex-Ward Secretary. It has further been submitted that most of the work allotted to them, has been completed. They have not embezzled any government money. It has also been submitted that similarly situated co-accused, namely, Vishwanath Rai has been granted bail by this Court vide Cr. Misc. No. 52659 of 2025. The case of these petitioners stands on similar footing. Moreover, they are languishing in judicial custody since 13.10.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Basantpur P.S. Case No. 576 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Siwan.

**(Ashok Kumar Pandey, J)**

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