

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23297 of 2018**

Arising Out of PS.Case No. -31 Year- 2018 Thana -SARMERA District- NALANDA  
(BIHARSHARIFF)

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Ritesh Kumar & Ors

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad

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

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      20-04-2018      Heard the parties.

The petitioners are apprehending their arrest in connection with Sarmera P.S.Case no.31 of 2018 registered for offences punishable under Sections 406, 409, 420 and 120B of the Indian Penal Code.

Petitioners are village co-coordinator under the Agricultural Equipment Scheme and the allegation is that they have identified 09 bonafide persons for the purpose of equipment and later on it has come to the knowledge that they are not bonafide persons and in such way there is defalcation of Rs.1,94,300/-.

Submission of the learned counsel for the petitioners is that their role is limited only to identify the persons and the persons who were identified were getting subsidy directly and the petitioners have no role in payment and as such the petitioners can



not be made responsible for the defalcation.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, this is not a case for grant of anticipatory bail to the petitioners rather let the petitioners surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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