

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20504 of 2019**

Arising Out of PS. Case No.-231 Year-2018 Thana- NASRIGANJ District- Rohtas

Kameshwar Prasad, Son of Late Baliram Ram, Resident of Village - Pahleja,  
P.S.- Dehari, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

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

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

4      20-06-2019                      This is an application for grant of anticipatory bail in connection with Nasariganj P.S. Case No. 231 of 2018 for the offences under Sections 409, 420, 120(B) and 34 of the Indian Penal Code.

Allegation as per F.I.R. is that Rs. 60,64,000/- was issued for the Mukhyamantri Gramin Peyjal Nischay & Gali Nali Yojna and on physical verification, Junior Engineer has found the work has been completed only of Rs.25,79,214/- and rest of the amount of Rs.3484,706/- has been illegally withdrawn by the husband of the Mukhiya in collusion with the petitioner and Panchayat Secretary.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case and there is no evidence on record against the petitioner for embezzlement of the said amount. The petitioner has no concern regarding the



withdrawal of the alleged amount while the work was in progress, the informant has stopped the work without any reason.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that after inquiry the hand of the petitioner was found and money was deposited in the account of the petitioner also.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on provisional bail till the submission of the charge sheet on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned A.C.J.M.-II, Bikramganj, in connection with Nasariganj P.S. Case No. 231 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with further condition that petitioner shall co-operate with the investigation and released all the papers to the Investigating Officer, who will be examined the same. Despite of that, if the charge sheet is submitted against him, he is to surrender and make prayer for regular bail, the same shall be considered by the learned trial court on its own



merit, without being prejudiced by order of this Court.

With the aforesaid, the application is disposed of.

**(Vinod Kumar Sinha, J)**

Sunil Shukla/-

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