

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11917 of 2022

Arising Out of PS. Case No.-69 Year-2021 Thana- MINAPUR District- Muzaffarpur

Rakesh Kumar Son Of Ram Karan Paswan Resident Of Village - Muksudpur,
P.S. - Minapur, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

With

Criminal Miscellaneous No. 14877 Of 2022

Arising Out Of Ps. Case No.-69 Year-2021 Thana- Minapur District- Muzaffarpur

Vijay Kumar Son Of Dnesh Sahni Resident Of Village - Karanpur East , P.S.-
Bochahan, Distt.- Muzaffarpur The Then Clerk (I/C Nazir) Circle Officer,
Minapur, Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

With

Criminal Miscellaneous No. 17933 Of 2022

Arising Out Of Ps. Case No.-69 Year-2021 Thana- Minapur District- Muzaffarpur

Amrendra Kumar Son Of Tetar Mochi R/O - Middle School Bira, Sundarpur
Ward No.-02, P.S.- Sundarpur, District- Darbhanga, The Then C.O. Cum
B.D.O. Minapur Block, Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

With

Criminal Miscellaneous No. 23639 Of 2022

Arising Out Of Ps. Case No.-69 Year-2021 Thana- Minapur District- Muzaffarpur

Rishi Ranjan Son Of Late Rajesh Kumar R/ O- Village- Fakuli P.S.- Kudhani
District- Muzaffarpur

... .. Petitioner/S

Versus



The State Of Bihar

... .. Opposite Party/S

With

Criminal Miscellaneous No. 36180 Of 2022

Arising Out Of Ps. Case No.-69 Year-2021 Thana- Minapur District- Muzaffarpur

Gyan Prakash Srivastava Son Of Late Dharani Prasad Srivastava Resident Of
Village- Mangalpur Kala, P.O.- Mangalpur Gidariya P.S.- Nautan, District-
West Champaran, At Present Circle Officer, Siwan Sadar, District- Siwan

... .. Petitioner/

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11917 of 2022)

For the Petitioner/s : Mr. Mritunjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 14877 of 2022)

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 17933 of 2022)

For the Petitioner/s : Ms. Udbhav, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, Advocate

(In CRIMINAL MISCELLANEOUS No. 23639 of 2022)

For the Petitioner/s : Mr. Apurva Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

(In CRIMINAL MISCELLANEOUS No. 36180 of 2022)

For the Petitioner/s : Ms. Udbhav, Advocate

For the Opposite Party/s : M. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 14-11-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 409, 420 and
120(B)/34 of the Indian Penal Code.

As per prosecution case, one Ramjapi Paswan, the Circle
Officer, Minapur lodged written report dated 05.03.2021 addressed to



the Officer Incharge of Minapur Police Station stating therein inter-alia that on the basis of irregularities found in the enquiry report of District Level Three Members Committee, the District Magistrate vide letter no.316 dated 24.02.2021 directed to lodge first information report against the persons named below such as (1) Sri Gyan Prakash Srivastav, the then Circle Officer, Minapur with charge mentioned in serial no.1 to 9 in the letter of District Magistrate dated 24.02.2021, (2) Sri Amrendra Kumar, the then Circle Officer-cum-Block Development Officer, Minapur with charge mentioned in column 9 i.e, order of competent authority, diversion and misuse of government money, (3) Sri Rishi Ranjan, Clerk, Circle Officer, Minapur with charge for opening file for payment to supplier, (4) Sri Vijay Kumar, Clerk (Incharge of Nazir) Circle Officer, Minapur with charge for opening file for payment of supplier, (5) Rakesh Kumar of village Maksudpur (Rakesh Tent House) with charge that there was no existence of Agency in the name of Tent House in enquiry of District Level Three Members Committee. Along with the present application the order of District Magistrate, Muzaffarpur dated 24.02.2021 and enquiry report of District Level Three Members Committee were enclosed and requested that the first information report be lodged against the aforesaid persons on the basis of charge mentioned in the letter issued under the signature of District Magistrate, Muzaffarpur vide letter no.316 dated 24.02.2021.

Further the FIR also discloses irregularities and



embezzlement of Rs.4,23,75,720/- (Four crores, twenty three lacs, seventy five thousand and seven hundred twenty only) from the Government exchequer to be done by these petitioners.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He further submits that there is no criminal antecedent against the petitioners except the petition of Cr. Misc. No. 23639 of 2022.

Learned APP appearing for the State has opposed the prayer for anticipatory bail stating that the petitioners have committed irregularities by way of siphoning off Rs.4,23,75,720/- (Four crores, twenty three lacs, seventy five thousand and seven hundred twenty only) and the petitioners have also been found indulged in the mismanagement of Covid-19 Quarantine Centre.

After considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is rejected.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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