

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47081 of 2021

Arising Out of PS. Case No.-93 Year-2021 Thana- TEKARI District- Gaya

1. SAVITA DEVI W/o Bimlesh Yadav R/o Village- Saidpur, P.S.- Tekari (now op), District- Gaya.
2. Vimlesh Yadav S/o Nanku Yadav Resident of Village- Saidpur, P.S. Tekari (now OP), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant

For the Opposite Party/s : Mr.J.N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 05-09-2022 The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as Mr. J. N. Thakur, the learned Additional Public Prosecutor for the State.

At the very outset, the learned counsel for the petitioners has submitted that this anticipatory bail petition with respect to petitioner no. 1 was dismissed as withdrawn, vide order dated 17.05.2022.

So far as petitioner no. 2 is concerned, he apprehends his arrest in connection with Tekari P.S. Case No. 93/2021



registered for offence punishable under sections 406 and 409 of the Indian Penal Code.

As per allegation, on spot inspection done by B.D.O., it was found that the works related to Satt Nischay Yojana was incomplete. Despite repeated reminders, the works were not completed. The works to the extent, which was completed, was not found upto the mark. It was also found that Rs. 25,00,000/- were withdrawn and was deposited in the account of Work Implementation of Management Committee.

The learned counsel for the petitioner has submitted that the present petitioner is husband of Ward Member, Savita Devi, and he has no concern with the works of the above-mentioned scheme. He has submitted further that Savita Devi has been granted regular bail and the Ward Secretary has also been granted regular bail.

By drawing my attention towards paragraph nos. 12, 13 and 14 of the case diary, the learned APP has submitted that the money was transferred from the account of Work Implementation and Management Committee to the account of the present petitioner, as such, he is involved in the alleged occurrence.

Considering the above-mentioned facts and



circumstances, I do not think it to be a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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