

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49185 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- BARBIGHA District- Sheikhpura

MANISH KUMAR S/o Bisheshwar Mahto R/o village- Ghoshwari, Ward No. 04, P.S.- Ghoshwari, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2022 Heard Mr. Dinesh Maharaj, learned counsel for the petitioner and Mr. Akshay Lal Pandit, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Barbigha (Keuti OP) P.S. Case No. 27 of 2022 registered for the offences punishable under Sections 406, 409, 420, 467, 468 and 471/34 of the Indian Penal Code 1860

As per the prosecution story, the accused persons withdrew money under Manrega scheme in the name of dead persons. When the matter came to light, it was investigated and enquired into, and upon direction of the District Magistrate, Sheikhpura, the First Information Report has been registered against the Government employees, public representatives and others.



Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report and he has not committed any offence in the manner alleged. He further submits that some of the amounts under Manrega scheme has been withdrawn from the CSP of the petitioner. Petitioner was not aware about withdrawal of the money under the Manrega scheme. The CSP of the petitioner was being run by his staff. Learned counsel further submits that similarly situated CSP owner who has been made accused in the First Information Report at Sl. No. 24 as well as ten co-accused persons have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. Nos. 40240 of 2022 and 49867 of 2022 respectively. He next submits that one of the named accused person, namely Mritunjay Kumar, has also been granted regular bail by a co-ordinate Bench of this Court in Cr. Misc. 27945 of 2022. Learned counsel also points out that misappropriated amount has been deposited by the accused persons as would be evident from the order granting bail to Mritunjay Kumar. The petitioner is in custody since 15.5.2022 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record and



the fact that similarly situated co-accused persons have been granted anticipatory bail and others have been granted regular bail as well as anticipatory bail by a co-ordinate Bench of this Court, the petitioner is in custody since 15.5.2022 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, in connection with Barbigha (Keuti OP) P.S. Case No. 27 of 2022.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

