

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70890 of 2021**

Arising Out of PS. Case No.-387 Year-2021 Thana- NAUBATPUR District- Patna

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AJIT KUMAR S/O TRILOKI YADAV Resident of Ajwan Bala Thakur, P.S.-  
Naubatpur, Distt.- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with  
**CRIMINAL MISCELLANEOUS No. 71460 of 2021**

Arising Out of PS. Case No.-387 Year-2021 Thana- NAUBATPUR District- Patna

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MANOJ KUMAR @ MONAJ KUMAR Son of Late Madan Ram Resident of  
Ajwah, P.S.- Naubatpur, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niraj Anand Son of Sri Sachida Nand Thakur B.D.O of Naubatpur Block,  
Dist. - Patna, Village - Pauni Hasanpur, P.O.- Pauni Hasanpur, P.S.- Vaishali,  
Dist.- Vaishali
3. Ranjeet Kumar S.H.O., Naubatpur Police Station , P.O. and P.S.- Naubatpur,  
Dist.- Patna Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 70890 of 2021)

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 71460 of 2021)

For the Petitioner/s : Mr.Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      03-11-2022

**CRIMINAL MISCELLANEOUS No.70890 of 2021**

Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel appearing on behalf of  
Opposite Party No. 2 and 3.



The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant (B.D.O., Naubatpur) alleges that Manoj Kumar, the Ward Member of Ward No. 7, Ajwan Panchayat, Naubatpur has violated the directions issued by Letter No. 269 dated 17.01.2017 of the Panchayati Raj Department, Government of Bihar, Patna, whereby under the Scheme of Mukhymantri Gramin Nali Gali Pakki Karan Yojna, Rs. 12-13 lakh was to be expended per ward but violating the said letter, the petitioner being Secretary of the Gram Sabha of Ward No. 7 violated the terms and conditions of the scheme and got the work done for Rs. 46,19,683/-.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is further submitted that this is the second FIR based on same set of allegation as earlier Naubatpur P.S. Case No. 343 of 2020 dated 03.07.2020 was registered against the Mukhiya in which the petitioner was not implicated nor made an accused, it is next submitted that if what is alleged in the present FIR is true then nothing prevented the Investigating Officer from investigating



Naubatpur P.S. Case No. 343 of 2020, so that if any involvement of the petitioner was found he could have been implicated in the said case.

Learned APP for the State and the learned counsel for Opposite Party No. 2 and 3 oppose the prayer for anticipatory bail of the petitioner, but are not in a position to rebut the submission of the learned counsel for the petitioner that earlier on the same set of allegation, the aforesaid Naubatpur P.S. case was instituted.

Considering the submissions made by the learned counsel for the petitioner, the **provisional bail** granted to the petitioner vide order dated 08.07.2022 is hereby confirmed on the same terms and conditions.

**CRIMINAL MISCELLANEOUS No. 71460 of 2021**

Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of Opposite Party No. 2 and 3.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant (B.D.O., Naubatpur) alleges that Manoj Kumar (petitioner), the ward



member of Ward No. 7, Ajwan Panchayat, Naubatpur has violated the directions issued by Letter No. 269 dated 17.01.2017 of the Panchayati Raj Department, Government of Bihar, Patna, whereby under the Scheme of Mukhymantri Gramin Nali Gali Pakki Karan Yojna, Rs. 12-13 lakh was to be expended in per ward but violating the said letter, the petitioner being Elected member of the Ward violated the terms and conditions of the scheme and got the work done for Rs. 46,19,683/-.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is further submitted that this is the second FIR based on same set of allegation as earlier Naubatpur P.S. Case No. 343 of 2020 dated 03.07.2020 was registered against the Mukhiya in which the petitioner was not implicated nor made an accused, it is next submitted that if what is alleged in the present FIR is true then nothing prevented the Investigating Officer from investigating Naubatpur P.S. Case No. 343 of 2020, so that if any involvement of the petitioner was found he could have been implicated in the said case.

Learned APP for the State and the learned counsel for Opposite Party No. 2 and 3 oppose the prayer for anticipatory



bail of the petitioner, but are not in a position to rebut the submission of the learned counsel for the petitioner that earlier on the same set of allegation, the aforesaid Naubatpur P.S. case was instituted.

Considering the submissions made by the learned counsel for the petitioner, the **provisional bail** granted to the petitioner vide order dated 08.07.2022 is hereby confirmed on the same terms and conditions.

(Satyavrat Verma, J)

Shivam/-

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