

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14963 of 2023

Arising Out of PS. Case No.-64 Year-2021 Thana- JAIPUR District- Banka

Ramesh Kumar Azad S/O Jagdish Prasad R/O Village- Budhuan, Ward No- 3,
P.O- Chanp, P.S- Akordigola, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused/petitioner is named in the F.I.R. and
apprehended his arrest in connection with Jaipur P.S. Case
No.64 of 2021 registered for the offences punishable under
Sections 420, 409, 467, 468, 471 and 120-B of the Indian Penal
Code.

The allegation against the petitioner is to
misappropriate the fund of 13 schemes of MGNREGA
(Mahatma Gandhi National Rural Employment Guarantee Act)
alongwith other named co-accused persons in the F.I.R. and to
withdraw the fund on the basis of fake measurement, where
petitioner was employed as Junior Engineer with the



Government of Bihar.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been implicated in this case only for the reason that he was Junior Engineer of the project. It is submitted that from the narration of F.I.R. the name of project and the time period when the said project was to be implemented are also not specified. It is submitted that out of certain measurement issue present false implication was made, where several similarly situated co-accused have already been granted anticipatory bail by various learned Co-ordinate Benches of this Court through Cr. Misc. No. 5723 of 2022 vide order dated 23.08.2022 and Cr. Misc. No. 19425 of 2022 vide order dated 13.12.2022. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as implication of petitioner appears out of measurement issues, where time and project are not appearing specified from the narration of F.I.R., accordingly the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released



on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Banka/concerned Court below where the case is pending in connection with Jaipur P.S. Case No.64 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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

