

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17523 of 2023

Arising Out of PS. Case No.-197 Year-2021 Thana- JHANJHARPUR District- Madhubani

MD. NASIM AHMAD @ NASIM AHMAD S/O Nasir Ansari @ Late Nasir
R/O Village- Chanauragoth, P.S- Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Jha Raman, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Jhanjharpur P.S. Case No.197/2021, registered for the offence
punishable u/s 406, 409, 420, 34 of the IPC.

Allegation against the petitioner is that he defalcated
Government fund granted for Nal-Jal Yojana to the tune of
Rs.10,31,152/-.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. It is submitted that later on the petitioner has completed
the work and in this regard, he has enclosed the document at



Annexure-2.

Learned APP for the State opposed the prayer for bail by submitting that the work has been completed after a long delay.

Having regard to the facts and circumstances of the case and considering the nature of allegation and that there was delay in completing the work, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

However, petitioner is at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that the petitioner has completed the work as evident from Annexure-2 of the bail application.

(Anjani Kumar Sharan, J)

pallavi/-

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

