

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29556 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- SHEKHPURA District- Sheikhpura

ANIL KUMAR Son of Ramswaroop Singh Resident of village-Ekarha, Police
Station-Chewara, District-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 419, 420, 406/34 of the Indian Penal Code.

3. The FIR has been lodged against the FIR named accused persons including this petitioner for embezzlement of Rs. 15,98,500/- and for not completing the work, as the said amount was withdrawn for boring under PHED.

4. It is further alleged that petitioner is said to have withdrawn the government money worth Rs. 2,50,000/-.

5. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been



falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that petitioner withdrew the government money worth Rs. 2,50,000/- on 26.03.2019 and fund was invested in repairing of Tube well no.2. In the meantime, he was transferred from Pain Panchayat and handed over the charge to Indradeep Prasad. Thereafter, he deposited money on 01.06.2022 and 03.06.2022 in the account of Mukhiya Gram Panchayat Pain State Tube well, which is also evident from Annexure 3. Similarly situated co-accused, namely, Madan Paswan has been enlarged on bail by a co-ordinate bench of this court vide order dated 23.03.2023 passed in Cr. Misc. No. 71654 of 2022. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, as petitioner has already deposited the said amount in the government account, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sheikhpura P.S. Case No. 301 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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