

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29085 of 2023

Arising Out of PS. Case No.-326 Year-2021 Thana- RAJAPAKAR District- Vaishali

Avadhesh Kumar Son Of Pradip Singh Resident Of Village - Ward No. 01,
Bahuara, P.S. - Rajapakar, Distt. - Vaishali Petitioner
Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate
Mr. Shambhu Nath Sinigh, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 4 20-09-2023 Heard learned counsel for the petitioner and the State.
2. The petitioner apprehends arrest in a case registered for the offence punishable under section 409 of the Indian Penal Code.
3. As per the prosecution case, petitioner in league with other accused persons withdrew Rs.14.91 lacs for execution of work under Mukhya Mantri Gramin Gali Nali Yojana but they neither completed the work nor they submitted the relevant documents in the Panchayat office and thus misappropriated the public money.
4. Learned counsel appearing for the petitioner submits that the petitioner was merely ward Secretary and it was the responsibility of the ward commissioner to ensure execution of work under the scheme. He submits that the informant who is mukhia of the gram panchayat, due to ulterior political motive,



has falsely implicated the petitioner in the present case to ruin his political career. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that the petitioner is named in the FIR with specific allegation that he in league with other accused persons withdrew Rs.14.91 lacs for execution of work under Mukhya Mantri Gramin Nal Jal Yojana but they misappropriated the public money and not completed the work.

6. Considering the nature of accusation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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