

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44665 of 2023

Arising Out of PS. Case No.-471 Year-2022 Thana- LALGANJ District- Vaishali

=====

Ajay Kumar, S/O Vijali Manjhi, R/O Village- Mathurapur Kushade, P.S-
Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Lalganj P.S. Case No. 471/2022 registered on 18.12.2022
for the offences punishable under Sections 409, 420/34 of the
Indian Penal Code.

3. As per the FIR, the case has been lodged against 8
named accused persons, including the petitioner due to non-
completion of work under Nal Jal Yojna. The allegation against
the petitioner is that he being Secretary along with other co-
accused, namely, Rajkumari Devi being Chairman of WIMC in
Nal Jal Yojana has debited ₹7,20,000/- but the work has been
completed only for ₹4,20,000/-.

4. It is submitted by learned counsel for the petitioner



that the alleged work has already been completed. The other similarly situated co-accused, namely, Nutan Devi @ Sachin Nutan being Secretary of the said scheme has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 02.08.2023, passed in Criminal Miscellaneous No. 40448 of 2023. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

5. Learned counsel for the State opposes the prayer for anticipatory bail of the petitioner and submits that from the document available on record, it does not transpire that work has been completed.

6. In the facts and circumstances of the case, let the above-named petitioner be released on anticipatory bail provisionally for a period of 60 days, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the ACJM-II, Vaishali at Hajipur in connection with Lalganj P.S. Case No.471 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The provisional bail of the petitioner shall be confirmed by the learned trial Court on the production of



substantial proof/certificate by the petitioner with regard to the completion of work from the BDO/JE, Panchayati Raj Department, Bihar within 60 days.

8. Accordingly, the present application stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

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

