

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42340 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- JAHANABAD District- Jehanabad

Raju Kumar @ Raju Prasad Son of Late Laxman Ram Resident of village -
Rajayin (Rajain), Tehta, P.S. - Makhdumpur, Distt. - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 13-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 12.03.2023, in connection with Jehanabad P.S. Case No. 142 of 2022, F.I.R. dated 03.03.2022 registered for the offences punishable under Sections 409, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. The Informant is the Executive Engineer, Irrigation Division, Uderasthan, Jehanabad who has alleged that the petitioner being Cashier besides co-accused Arvind Kumar, the then Executive Engineer, Irrigation Division, Jehanabad in conspiracy to each other are said to have committed financial irregularity in withdrawing and payment to the contractors against the security deposit amounting to Rs. 1,32,20,000/- (One



Crore Thirty Two Lacs and Twenty Thousand).

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that as per allegation in the F.I.R. that the petitioner and other co-accused person have misappropriated and liquidated the security amount fraudulently pertaining to a work with respect to an Agreement No. 05/SBD/2014-15. Learned counsel for the petitioner further submits that the petitioner is an Accountant and he has no role in the present occurrence.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that an agreement was executed between the Executive Engineer, Irrigation Division, Jehanabad and Tushar Goyal Association in which the contractor has deposited the security amount which was en-cashed by the petitioner and other co-accused person and it has come during investigation in paragraph nos. 7, 12, 15 and 16 which suggests that the petitioner was involved in the present crime in question and



altogether Rs. 1,32,20,000/- (One Crore Thirty Two Lacs and Twenty Thousand) was withdrawn by the petitioner and other co-accused person.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Jehanabad P.S. Case No. 142 of 2022 pending in the Court of learned Chief Judicial Magistrate, Jehanabad.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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