

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42223 of 2023

Arising Out of PS. Case No.-420 Year-2022 Thana- TAJPUR District- Samastipur

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Kumar Vijay @ Vijay Sahni Son Of Raju Sahni Resident Of Village-
Mirzapur, Ward No. 9 Tajpur, Ps- Tajpur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 120B, 406, 409, 420 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with co-accused Rajan Sahni have withdrawn Rs. 17,60,000/- from the account of Ward Kriyanayawan Prabandhak Samiti under the scheme of Mukhyamantri Gramin drinking water scheme.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner was ward secretary of Ward No. 9 of Songer Panchayat for the period 2016-21. He submits that co-accused was president of Ward Implementation and Management Committee has transferred money in favour of his wife and relatives who did not complete the rest of work under Mukhyamantri Nal-Lal Yojana. He submits that petitioner had made a representation to the Block Development Officer, Morwa



stating therein that Ward President is arbitrarily withdrawing government money, therefore, he requested to restrain from misuse of government money. He further submits that petitioner has one criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposing the prayer for bail submits that petitioner has withdrawn Rs. 17,60,000/- from the account of Ward Kriyanayawan Prabandhak Samiti under the scheme of Mukhyamantri Gramin drinking water scheme.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Tajpur P.S. Case No. 420 of 2022.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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