

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48096 of 2023

Arising Out of PS. Case No.-517 Year-2020 Thana- SIKARPUR District- West Champaran

1. MAHENDRA MAHTO S/O LATE JAMUNA MAHTO R/O VILLAGE-MATHIA, WARD NO. 14, P.O. RAJPUR, PS. SHIKARPUR, DIST. WEST CHAMPARAN
2. SUNITA DEVI W/O SUJEET RAM R/O VILLAGE- MATHIA, P.O.- RAJPUR, PS. SHIKARPUR, DIST. WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 11-12-2023 Heard Mr. Sanjeev Kumar, learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Shikarpur P.S. Case No.517/2020 for the offences punishable under Sections 406/409/420/34 of the Indian Penal Code.

3. The petitioners in association of other co-accused are said to have misappropriated the huge amount of government money sponsored by the Government of Bihar.

4. The petitioners are quite innocent and have been falsely implicated in this case merely on suspicion. The



allegations levelled against the petitioners is general and omnibus in nature. It is further submitted that petitioner no.1 was the elected ward member of ward no.14 of the panchayat in question at the relevant time and the petitioner no.2 was the secretary of ward no.14 and they have worked as per the guidelines issued by the Government of Bihar from time to time. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as the nature of the allegation, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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