

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46660 of 2022**

Arising Out of PS. Case No.-726 Year-2020 Thana- MAHUA District- Vaishali

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MUKESH PANDEY @ MUKESH KUMAR PANDEY S/o Late Devendra  
Pandey R/o Jahangirpur, Salkhanni, P.S.- Mahua, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      03-01-2023                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner apprehends his arrest in connection  
with Mahua P.S. Case No. 726 of 2020 for the offence registered  
under Sections 409 and 420 of the Indian Penal Code.

As per the allegation, the Block Development Officer,  
Mahua has lodged a complaint stating that the accused persons  
were allotted Rs. 12 lakhs towards 'Nal Jal Yojna' but neither  
the work was completed nor the reply was provided to the show  
cause notice issued and accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that he  
being the Secretary of the said Panchayat had allotted the work  
but due to some protest by the villagers, the work could not be  
completed in time. However, finally the same has been done and



the concerned Block Development Officer, Mahua has also issued a certificate to this effect vide his Memo No. 465 dated 25.04.2022. He lastly submits that he has no criminal antecedent.

Taking into account the fact that the Block Development Officer, Mahua has issued a 'No Objection Certificate' relating to the payment so made vide memo No. 465 dated 25.04.2022 as also the fact that he has no criminal antecedent, this Court is inclined to grant him the privilege of anticipatory bail.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 726 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajiv Roy, J)**

Jagdish/Neha-

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