

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53465 of 2022**

Arising Out of PS. Case No.-595 Year-2020 Thana- LAKHISARAI District- Lakhisarai

RAHUL KUMAR S/O RAMOTAR RAM Resident of village- Dogai, P.S.-  
Lakhisarai (Amhara), District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

8      01-05-2023                      Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 409 of the Indian Penal Code.

As per the prosecution case, in spite of disbursement of the sum of Rs. 16,72,250/- and Rs. 9,00,000/- under two different schemes, it is alleged that the work was not completed and the amount was defalcated.

Petitioner is not named in the F.I.R. Name of the petitioner transpired after two months of the registration of the F.I.R. on the basis of the statement made by the B.D.O., Lakhisarai and has been made accused in this case merely because petitioner was the joint account holder in the capacity of the Secretary of the ward. There is no specific allegation against this petitioner of misappropriation of government money. In fact, the Mukhiya was required to carry out the



development work, which was to be monitored by the Panchayati Raj Officer and the Block Development Officer. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 595 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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