

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56192 of 2022**

Arising Out of PS. Case No.-205 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

MANOJ KUMAR VIDYARTHI S/O LATE RAMJEE SINGH Resident of  
Village- Tar Bunglow, P.S.- Dehri-on-sone, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhimanyu Sharma, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      21-02-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered  
for the offences punishable under Sections 409 and 420 of the  
Indian Penal Code.

As per the prosecution case, the petitioner in connivance  
with Panchayat Secretary, Mukhiya of Gram Panchayat and  
concerned Block Development Officer misappropriated  
government money in completion of several government  
schemes. After superannuation of the Panchayat Secretary, the  
government money has been withdrawn with the joint signature  
of the petitioner and the Panchayat Secretary.

It is submitted by learned counsel for the petitioner that  
petitioner is quite innocent and has committed no offence. No



such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that petitioner being the Junior Engineer has no concern with the withdrawal of Government money. On the contrary, he has simply submitted the completion report of the work pursuant to the scheme by maintaining the measurement book. He further submits that during the course of investigation, the Investigating Officer inspected the place of occurrence where it is alleged by the informant that the Hand Pump for which the amount was issued under the Scheme 01/2019-2020 has been embezzled with the connivance of the petitioner, was found installed at it's place and the said fact is evident from the bare perusal of Para-21 and 22 of the Case diary and accordingly it is evident that no government money has been embezzled. Learned counsel for the petitioner further submits that he is ready to pay Rs. 50,000/- in the account of Gram Panchayat, Chehariya, Account Nos. 73401700087359 and 73401700081416. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail by submitting that petitioner, along with other accused persons,



having conspiracy installed only one hand pump in front of the house of Dhurhu Dhobi. Another hand pump near the house of Atul Yadav has not been installed. He further submits that the accused persons conspired together and misappropriated the money.

Having regard to the facts and circumstances of the case, as petitioner is ready to pay Rs. 50,000/- in the account of Gram Panchayat, Chehariya, Account Nos. 73401700087359 and 73401700081416, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Durgawati P.S. Case No. 205 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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