

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63168 of 2023

Arising Out of PS. Case No.-27 Year-2022 Thana- BARBIGHA District- Sheikhpura

Gorelal Kumar, (Bare foot technician), male, aged about 48 years, son of
Kishori Kewat, resident of Village- Chorbar, P.S. - Ariyari, Distt. - Sheikhpura
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prasad Singh, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Barbigha (Keoti OP) PS Case No.27 of 2022 dated 21.01.2022,
instituted under Sections 406, 409, 420, 467, 468, 471/34 of the
Indian Penal Code.

3. The allegation against the petitioner is that he along
with other co-accused persons withdrew the money from
MNREGA Scheme in the name of the deceased card holders.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. During course of
investigation, only on the basis of suspicion, the petitioner has
been implicated in this case. It is further submitted that the
alleged defalcated amount i.e., Rs.89,549/- has already been



deposited in the contingency fund of MNREGA by the co-accused Mritunjay Kumar and other officials on 28.10.2021. It is further submitted that similarly situated co-accused have been granted bail by different benches of this Court vide order dated 15.12.2022 passed in Cr. Misc. No.49867 of 2022, order dated 01.08.2022 passed in Cr. Misc. No.27945 of 2022 and order dated 15.05.2023 passed in Cr. Misc. No.10877 of 2023. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura, in Barbigaha (Keoti OP) PS Case No.27 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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