

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69024 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- KAKO District- Jehanabad

MD. MOBINUL HASSAN @ MOBINUL HASSAN @ MINTU S/o Md.
Maninul Hassan @ Matinul Hassan R/o- Saidabad, P.S.- Kako, District-
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2023 Heard the parties.

The petitioner apprehend his arrest in connection with
Kako P.S. Case No.106 of 2022, registered for the offence
punishable under section 409 of the Indian Penal Code.

The prosecution story in short is that one Rehana
Khatoon, ward member of ward no.6, had transferred Rs.14.90
lakhs of 'Nal Jal Yojna' into the account of the petitioner who is
the contractor assigned with the said work. As against the
received amount of Rs.14.90 lakhs, the petitioner has only
completed work to an extent of Rs.10,64,039/- and the rest
amount of Rs.4,25,961 has been siphoned off by the petitioner.

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



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the measurement book clearly shows that more work has been executed by the petitioner than the amount received by him. The petitioner categorically affirms and states that the entire work that he was obliged to complete has been completed and no work pertaining to “Nal Jal Yojna” remains incomplete. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioner is also involved in misappropriating government funds.

Having regard to the facts and circumstances of the case as well as considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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