

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69155 of 2022**

Arising Out of PS. Case No.-176 Year-2020 Thana- JHAJHA District- Jamui

Navin Kumar S/O Hisabi Prasad R/O Village- Mahisona, P.S- Lakhisarai,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 01-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Jhajha P.S. Case No.
176 of 2020 registered for the offences punishable under
Sections 406, 409 and 420 of the Indian Penal Code.

The allegation against this petitioner is to
misappropriate government funds and also found negligent
while supervising on-going work and as such misappropriated
the public money allotted for *Sat Nischay Yojana* of the
Government while during work of *Nal-Jal Yojana* of Ward No.



10, 12 and 14 of Baliyadih Panchayat of Distt- Jamui.

Learned counsel appearing on behalf of the petitioner submitted that the alleged withdrawal of money is only can be done by Mukhiya and ward secretary of concerned Panchayat. It is pointed out that the Mukhiya and other elected members who were custodians of allotted fund and authorized to withdraw the same, were granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 48424 of 2021 vide order dated 29.06.2022. It is submitted that petitioner is a junior engineer and the maximum allegation available against him is to excess measurement over estimated amount which constitute maximum his negligence in performing his duty without having any allegation, as regard to misappropriation of government fund of the scheme. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

Learned APP opposes the prayer of bail.

Considering the aforesaid facts and circumstances as petitioner is not authorized to withdraw money from bank, accordingly, the above named petitioner, in the event of his arrest or surrender before the court below, within a period of four weeks, is directed to be released on bail, furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui/concerned Court, where the case is pending in connection with Jhajha P.S. Case No. 176 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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