

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75850 of 2023

Arising Out of PS. Case No.-561 Year-2022 Thana- DHAKA District- East Champaran

1. Fulmani Devi @ Fulmani (THE Then Ward Member Of Ward No.2) Wife Of Late Jai Narayan Ram Resident Of Village - Karmawa, P.S. - Dhaka, District - East Champaran
2. Sumitra Devi @ Sumitra Paswan (THE Then Ward Member Of Ward No.12) Wife Of Bigu Paswan Resident Of Village - Bahlolpur, P.S. - Dhaka, District - East Champaran
3. Naresh Paswan (THE Then Secretary Of Ward No.12) Son Of Late Bhajan Paswan Resident Of Village - Bahlolpur, P.S. - Dhaka, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Dhaka P.S. Case No. 561 of 2022 dated 06.09.2022 registered for the offences punishable u/s 409 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that despite allotment of fund under the government scheme *Mukhya Mantri Nal Jal Yojna*, the petitioners along with other co-accused did not complete the work within the stipulated period



and the same is still pending.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the petitioner no. 1 is the Ward Member of Ward No. 2, the petitioner no. 2 is the Ward Member of Ward No. 12 and the petitioner no. 3 is the Ward Sachiv and they have not embezzled any government money. It is further submitted that the work in question was allotted to the executing agency of one Mukul Ranjan for which an agreement was also executed between the parties and it was his duty to complete the work within the stipulated period. It is further submitted that Fulmani Devi and Sumitra Devi lodged Dhaka P.S Case No. 56/2021 and 57/2021 against the co-accused Mukul Ranjan due to non-completion of the said yojana. The co-accused persons have already been granted bail by the Coordinate Bench of this court vide order dated 20.06.2023 passed in Cr. Misc. No. 3755 of 2023. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand)each with two sureties of the like amount each to the satisfaction of the learned court concerned, Sikrahana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 561 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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