

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80553 of 2023**

Arising Out of PS. Case No.-166 Year-2022 Thana- JOKIHAT District- Araria

MD. TARIQUE ANWAR @ TARIQUE ANWAR S/O MOJAHID @  
MOJAHIDUL ISLAM R/O VILLAGE- DAULATPUR WARD NO. 02,  
PANCHAYAT DUBBA, P.S- JOKIHAT, DISTT.- ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP.

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

2      18-12-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in Jokihat P.S.  
Case No. 166 of 2022 registered for the offences punishable  
under Sections 420, 409, 467, 468, 34 of the Indian Penal  
Code.

3. Allegedly, petitioner along with other accused persons  
is said to have committed some financial irregularities in Prime  
Minister Awas Yojana (Rural).

4. 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 is Ward  
Secretary of Ward No.2. He has been falsely implicated in this  
case due to ulterior motive. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature. Petitioner is ward member of ward no.2 of Dubba Panchayat, whereas the beneficiaries are resident of ward no.7 of Dubba Panchayat. Petitioner has no role in the present case. Firstly, the list of the beneficiaries of Prime Minister Awas Yojana (Rural) has been verified by Awas Assistant, Supervisor, the concerned B.D.O. and Nazir thereafter, the payment was done in the beneficiaries account. It is further submitted that later on, all the beneficiaries have received the said amount which was wrongly transferred in the account of others. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that the allegation levelled against the petitioner is serious in nature and the complicity of the petitioner has also been found in the present case, which is also evident from the impugned order. Hence, he does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case and nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned



Court below within six weeks from today and seeks regular bail,  
the learned Court below shall pass order on the same day in  
accordance with law without being prejudiced by this order  
considering the fact that petitioner has no criminal antecedent.

**(Anjani Kumar Sharan, J)**

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