

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81138 of 2019**

Arising Out of PS. Case No.-250 Year-2019 Thana- PARWALPUR District- Nalanda

Nirmal Kumar Son Of Kamata Prasad Resident Of Village - Gaush Nagar,  
Near Big Well, P.S.- Sarmera, Distt.- Nalanda. , Presently Posted As The  
Branch Manager, Madhya Vihar Gramin Bank, Nishalganj Branch, Distt.-  
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 86890 of 2019**

Arising Out of PS. Case No.-250 Year-2019 Thana- PARWALPUR District- Nalanda

1. Birendra Prasad @ Virendra Kumar Son Of Shivalak Prasad Resident Of  
Village- Chausanda, P.O.- Sonchari, P.S.- Parwalpur, Distt- Nalanda.
2. Anuj Paswan @ Manoj Paswan S/O Upendra Paswan Resident Of Village-  
Chausanda, P.O.- Sonchari, P.S.- Parwalpur, Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 81138 of 2019)

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| For the Petitioner/s :     | Mr.Rakesh Kumar Singh, Advocate |
| For the Opposite Party/s : | Mr.Parmeshwar Mehta, A.P.P      |
| For the Informant/s :      | Mr. Pramod Kumar, Advocate      |
|                            | Mr. Dharendra Kumar, Advocate   |

(In CRIMINAL MISCELLANEOUS No. 86890 of 2019)

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| For the Petitioner/s :     | Mr.Rakesh Kumar Singh, Advocate |
| For the Opposite Party/s : | Mr.Nawal Kishore Prasad, A.P.P  |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

20    31-01-2023                      Learned counsel for the petitioners is permitted to  
  
remove the defect(s), as pointed out by the office, if any, within  
  
a period of three weeks from today.



Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 406, 409, 420, 467, 468 and 471 read with 34 of the Indian Penal Code.

As per prosecution case, the petitioner and co-accused persons misused the fund of *Mukhya Manti Sat Nischay Yojna* of *Nal-Jal-Gali*. It is further submitted that the petitioners and other co-accused persons in connivance with one another withdrew money after putting forged signature of ward member Rukmani Devi.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated at para 3 of the bail petition. The petitioner (Nirmal Kumar) is Branch Manager of Magadh Vihar Gramin Bank at Nishalganj, Nalanda. The petitioners Birendra Prasad and Anuj Paswan @ Manoj Paswan are nominated members of ward No. 5. As per paragraph 18 of the case diary the work of ward 1 and 5 has already been completed. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 10.07.2020 passed in Cr. Misc. No. 4868 of 2020.



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

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 anticipatory 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 learned Court concerned, Nalanda in connection with Parwalpur P.S. Case No. 250 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

**(Chandra Prakash Singh, J)**

atul/-

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