

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11703 of 2024

Arising Out of PS. Case No.-255 Year-2023 Thana- GORAUL District- Vaishali

Birendra Thakur @ Virendra Thakur Son of Sakal Thakur R/o Village
Mansurpur Halayia, P.S. Goraul Kathara O.P., District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Sudha Sudha, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420 and 409 of the Indian Penal Code.

3. As per prosecution case, allegation against the petitioner and other accused persons is of preparing forged measurement book and thereby embezzling the Government money under the *Mukhya Mantri Gramin Pey Jal Nishchaya Yojna*.

4. It is submitted by learned counsel appearing on behalf of the petitioner that at the relevant time, the petitioner was Ward Member. The petitioner did not submit the measurement report. The scheme of *Nal Jal Yojna* was worth Rs. 9,36,550/- and it was the Junior Engineer who prepared the measurement book and the petitioner cannot



be held responsible for the same. It is also submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by Co-ordinate Benches of this Hon'ble Court vide orders passed in Cr. Misc. Nos. 65441 of 2023 and 75805 of 2023 (Annexure-2 series to this bail application).

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

6. Considering the aforesaid facts and circumstances, nature of accusation and claim based on parity, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Vaishali at Hajipur, in connection with Goraul Kathara (O.P.) P.S. Case No.255 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

