

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13206 of 2024

Arising Out of PS. Case No.-28 Year-2021 Thana- BITHAN District- Samastipur

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Pawan Kumar Son Of Ramanarayan Kushwaha Resident Of Village- Lal
Kothi, Tatarpur, Bhagwanpur, Mahavir Path, Ps- Tatarpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Yadav, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7. 23-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 406, 420 of the Indian Penal Code.

3. The allegation against petitioner is that he runs a work agency in the name of Global Data Care to work under the ‘*NAL JAL YOJNA*’ of the Government and for accomplishment of work in different wards, he received total **Rs. 13,61,4000/** through cheques, but he did not complete the aforesaid work and thus, embezzled the entire government money.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. As a matter of fact, the petitioner runs the aforesaid agency



only with a view to supply materials. It is not the job of the petitioner to execute any scheme of the government. Petitioner has not embezzled any money of the government. Learned counsel further submits that total Rs. 1,41,34,000/- was withdrawn through cheques by petitioner's agency and in lieu thereof, in return goods worth Rs. 1,40,28,081/- were made available for aforesaid scheme in *Gram Panchayat, Jagmohara* and remaining amount of Rs. 1,05,919/- is available with the agency and petitioner is ready to return the said balance amount.

5. However, learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation against petitioner that he took aforesaid money from different ward members under the aforesaid scheme of government, but did not complete the work.

6. Considering the nature of accusation and the fact that work, which was entrusted to the petitioner's agency and in lieu thereof petitioner took huge money, has still not completed, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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