

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21974 of 2024

Arising Out of PS. Case No.-222 Year-2022 Thana- BACHHWARA District- Begusarai

Md. Mukhtar @ Md. Moktar Son Of Late Md. Akhtar Resident Of Village-
Bahrapur (JAHANPUR), Ps- Bachhwara And Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bachhwara P.S. Case no. 222 of 2022 instituted for the offence under Sections 409, 420 and 34 of the Indian Penal Code.

As per prosecution case, informant alleged that for execution of work under Nal Jal Yojna Plan in Raj Bhikham Ward No-7 estimated cost of Rs. 1,236,400/- was paid to the Chairman-cum-ward member and Ward Secretary(petitioner) of Execution and Management Committee but petitioner being Ward Secretary and co-accused did not complete the work under Nal Jal Yojana and have withdrawn entire amount from the



bank, hence the case of misappropriation is made out against them.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner was the Ward Secretary, his only duty was to supervise the work. The petitioner is bringing on record an order of Executive Officer, Block Panchayat Raj Officer, Bachhwara dated 25.08.2023 which shows that out of 12,36,400/- work of Rs. 12,05,600/- has already been completed and rest amount has been deposited in the account of committee and in support of this a photocopy of the order dated 25.08.2023 is being annexed herewith and marked as Annexure-P/3 to this bail application. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Other co-accused person has already been granted bail by this Court vide order dated 28.04.2023 in Cr. Misc. No. 15464 of 2023.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bachhwara P.S. Case no. 222 of 2022, he



will be enlarged on bail on furnishing bail bond of Rs. 10,000/-
(Rupees ten thousand) with two sureties of the like amount each
to the satisfaction of learned Chief Judicial Magistrate,
Begusarai subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Shubham/-

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

