

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26594 of 2024

Arising Out of PS. Case No.-65 Year-2022 Thana- KHIRI MORE District- Patna

Niranjan Kumar Son of Sri Dina Nath Bind @ Dina Nath Singh Resident of
Village- Jinpura, P.S.- Khiri More, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 18-09-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Khiri More Police Station Case No. 65 of 2022,
disclosing offences under Sections 420, 409, 34 of the Indian
Penal Code.

3. The prosecution case in brief is that, under Nal Jal
Yojna, Rs. 14,57,119/- was granted to the Managing Committee-
08, from the A/C of Ward Implementation Managing
Committee, for the work of water supply (Nal Jal) but on
physical verification by the informant, it was found that no work
as alleged was done which clearly gives indication of
embezzlement of the government fund, as such, it is alleged that
ward member one Mohan Manjhi and the present petitioner,



who is ward Secretary of the Ward No. 8, have embezzled the aforesaid government fund.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case as the whole prosecution case is false and concocted. He next submits that petitioner is ward Secretary whereas all the schemes of government are operated by Mukhiya who draws the money and spend it, as per rule, on his own signature. The petitioner has no concern with the business of Mukhiya and his nature of work is separate from him. He next submits that the entire work has been done and water supply under the Nal Jal scheme is in operational stage of Ward No. 8.

5. On the other hand, learned counsel for the State submits that the petitioner was Ward Secretary of Ward No. 08 and Member of Ward Implementation Management Committee (WIMC). A sum of Rs. 14,57,119/- was transferred in the account of WIMC for completing the Nal-Jal Scheme in Ward No. 08. The spot verification of the Nal-Jal Scheme was done and it was found that same was incomplete. The case was investigated and supervised by higher authorities and has been found true by Sub-Divisional Police Officer, Paliganj, and Superintendent of Police (West), Patna, against the petitioner.



After lodging of the First Information Report, water tank has been installed and water supply has started. Further, after measurement of the work of the aforesaid Nal-Jal Yojana, it has been found that as per the Measurement Book (MB Book) the work of Rs. 12,59,340/- has been done against the total amount of Rs. 14,57,119/-. The co-accused was arrested on 05.11.2023 and charge-sheet has been filed against him.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation and the fact that the Government fund meant for public scheme has been misappropriated by the petitioner and other accused, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application stands dismissed.

(Anil Kumar Sinha, J)

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