

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28615 of 2024

Arising Out of PS. Case No.-334 Year-2022 Thana- SAHPUR District- Bhojpur

1. Anup Kumar son of Ram Narayan Rajak Village- Rudra Nagar Ps- Shahpur Dist- Bhojpur.
2. Seema Devi wife of Munjee Rajak Village- Rudra Nagar Ps- Shahpur Dist- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tejpratap Singh, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Shahpur P.S. Case No.334 of 2022 instituted under Sections 409, 406, 420/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners have withdrawn Rs.8,90,000/- for doing the work under *Mukhya Mantri Peya Jal Nishchay Yojna* but not completed the same thus they have embezzled the said amount.

4. Learned counsel for the petitioners submits that petitioner no.1 is Ex-Secretary and petitioner no.2 is Ex-Chairman of *Kriyanyawan* and *Prabandhan Samiti* of *Gram*



Panchayat Gaudadh and they have already completed the assigned work and in this respect the copy of measurement book shows that the work has been completed for the sanctioned amount of Rs.8,90,000/-. He further submits that petitioners have no criminal antecedent and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M. 1st Bhojpur, Ara in connection with Shahpur P.S. Case No.334 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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