

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45283 of 2024

Arising Out of PS. Case No.-378 Year-2022 Thana- SAHPUR District- Bhojpur

1. Malati Devi, W/o Late Mohan Singh @ Late Mohan Prasad Singh, R/o Village - Rudra Nagar, P.O. - Gaudar, P.S. - Shahpur, District - Bhojpur
2. Chandra Bhushan Singh, S/o Late Ram Naresh Singh, R/o Village - Rudra Nagar, P.O. - Gaudar, P.S. - Shahpur, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Shahpur P.S. Case No. 378 of 2022 registered for the offences punishable under Sections 409, 406, 420/34 of the Indian Penal Code.

3. Allegation against the petitioners is that they have not completed the work under Chief Minister, Village Drinking Water Scheme (Nal-Jal) as per direction from District Officer, Bhojpur as well as from Block Development Officer, Bihiya.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this



case. Petitioner no. 1 is the Ex-President and petitioner no. 2 is the Ex-Secretary of the Ward No. 9 of Gram Panchayat Gaudodh Rudra Nagar. It is further submitted that the Nal-Jal Scheme under the Chief Minister Seven Nischay Yojana, the estimated cost was of Rs. 13,86,100/- for installation of water pump and pipe lines and work of staging within ward area but only Rs. 8,47,528/- was allotted to the petitioners for the aforesaid work and the petitioners have completed the aforesaid work for the amount allotted to them and for that a Certificate has been issued by the Chartered Accountant. As per the measurement book also the work to the extent of money allotted to them have been done. Petitioner no. 1 is an old lady and petitioners have no criminal antecedent. They undertake to cooperate in the trial and ready to complete the remaining work if the remaining amount of estimated cost is allotted to them.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on



furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Shahpur P.S. Case No. 378 of 2022, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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