

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41811 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- BHANGWANPUR HAT District- Siwan

1. DEOJHARI DEVI Wife of Lakshan Dev Mahto Resident of Village - Dharamraj, P.S.- Bhagwanpur Hat, District - Siwan.
2. Chandan Kumar @ Chandan Prasad Son of Dev Kumar Mahto Resident of Village - Dharamraj, P.S.- Bhagwanpur Hat, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 15-01-2024 Heard learned counsel for the parties.

2. Petitioners are apprehending their arrest in connection with Bhagwanpur Hat P.S. Case No.47 of 2022, registered for the offence punishable u/s 420, 409 of the IPC.

3. As per the F.I.R., it is alleged that after preparing forged document, the accused petitioners along with other co-accused have committed embezzlement of Government funds and also committed tax evasion of the Government under the Nal-Jal scheme.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence. They have been falsely implicated in this case due to ulterior motive. Petitioner no.1 was the member of Ward no.8



and petitioner no.2 was the then Secretary of Ward no.8 and there is no specific overt act against the petitioners. The specific allegation is against the Ansu Enterprises, which was the agency for the performance of the work with regard to G.S.T. It is submitted that all the work has been completed. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is allegation against the petitioners in the F.I.R. of committing embezzlement of Government fund.

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, the petitioners are at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that petitioner no.1 is an old lady.

(Anjani Kumar Sharan, J)

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