

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53411 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- UDAKISHUNGANJ District- Madhepura

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Sujeet Kumar Son of Sri Yugeshwar Prasad The than Executive Officer of Nagar Parishad Udakishunganj, Resident of village - Dhanama Dhaksena, P.S.- Dhanama, District - Jamui, at present posted as Officer in Patna Municipal Corporation, Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gopal Jha
For the Opposite Party/s	:	Mr. Ajay Kumar Jha
For the Informant	:	Mr. Krishna Kant Tiwari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in Udakishunganj P.S. Case No. 76 of 2024 registered for the offences punishable under Sections 409, 420 and 509 of the Indian Penal Code.

3. As per the prosecution case, the petitioner, who serves as the Executive Officer of Nagar Parishad Udakishunganj, is accused of engaging in irregularities across various schemes of the Nagar Parishad, including the installation of High Mast Lights and Street Lights, and is said to have embezzled substantial amounts of money from these



schemes.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that earlier the petitioner has lodged an F.I.R. against the informant, thereafter, the present F.I.R. has been lodged against the petitioner. He further submits that the report of the six-men committee identified certain irregularities in some schemes; however, the overall findings are not deemed satisfactory. Specifically, the report indicated that the work of scheme no. 5 was not satisfactory, yet the official order sheet, which bears the signatures of both the petitioner and the informant, confirms that the work was completed and payment was processed following the necessary deductions. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that according to the report of the six-men committee, it is apparent that there were discrepancies ascertained in the schemes.



6. Considering the facts and circumstances of case and from the perusal of the report of the six-men committee, it is apparent that there were discrepancies ascertained in the schemes, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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