

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54809 of 2024

Arising Out of PS. Case No.-1816 Year-2023 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. Ravindra Prasad Singh son of Rampukar Rai Village- Panapur, P.S. Mahua, District Vaishali
 2. Sima Kumari wife of Ravinder Prasad Singh Village- Panapur, P.S. Mahua, District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

3. The learned counsel for the petitioners submit that the petitioner no. 1 has antecedent of three cases and petitioner no. 2 is a person with clean antecedent and is a woman and the complainant alleges that an amount of Rs. 14,75,200/- was sanctioned under Nal Jal Yojna Scheme, for Ward No. 6 of Gram Panchayat Raj Kanhouli Dhanraj, further petitioner no. 2 is Mukhiya of the Panchayat and petitioner no. 1 is her husband,



it is next alleged that petitioners called the other accused persons at the house of the complainant, who is Member of the Ward where Rinki, ex-Secretary of the Ward was also present, further, the petitioners requested the complainant to issue cheques in favour of other accused persons, who were competent to handle the work under Nal Jal Yojna, accordingly the complainant issued the cheques as detailed in the complaint in favour of other accused persons and they received the cheques and encashed the amount but the work was not completed. It is also alleged that the cheques were issued under threat of the petitioners.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the complainant. It is next submitted that the complainant in the complaint alleges that she issued the cheques at the behest of petitioners in favour of other accused persons but then it is submitted that petitioners never went to the house of the complainant asking her to issue cheques in favour of other accused persons. It is also submitted that it appears that the complainant herself issued the cheques in favour of other accused persons and implicated the petitioners on account of political rivalry.



It is also submitted that the complainant does not even remotely suggests that petitioners were involved with the work of Nal Jal Yojna. Further, the date of occurrence is 14.08.2018 to 10.06.2020, but then, the complaint came to be instituted in the year 2023. It is submitted that the instant complaint came to be instituted for the reason that Mahua P.S. Case No. 06 of 2023 was instituted against the complainant and Rinki Kumari with regard to non-completion of the Nal Jal Yojna Scheme by the Panchayat Secretary and thereafter by way of afterthought, the petitioners came to be implicated in the instant complaint.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000 /- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 1816 of 2023, subject to the conditions laid



down under Section 438(2) of the Cr.P.C.

7. **The application stands allowed.**

(Satyavrat Verma, J)

Sudhanshu/-

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