

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56546 of 2023

Arising Out of PS. Case No.-276 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

Lal Bahadur Chaudhary S/O Late Bhagirathi Chaudhary R/O Village - Semra,
P.S. - Gopalganj (NAGAR),

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 71081 of 2023

Arising Out of PS. Case No.-276 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

1. Kiran Devi Wife Of Ram Pravesh Singh R/O Vill - Bheria, P.S. - Gopalganj,
Distt. - Gopalganj
2. Savita Devi @ Sabita Devi@Sarita Devi Wife Of Munna Patel R/O Vill -
Bheria, P.S. - Gopalganj, Distt. - Gopalganj
3. Asheya Khatoon @ Ayesha Khatoon @ Aseya Khatoon @ Aesa Khatoon
Wife Of Babuddin Ansari R/O Vill - Semra, Ward No.09, P.S. - Gopalganj,
Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 56546 of 2023)
For the Petitioner/s : Mr.Gautam Kumar Yadav
For the Opposite Party/s : Mr.Raj Kishor Singh
(In CRIMINAL MISCELLANEOUS No. 71081 of 2023)
For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-03-2024 As both these bail applications have cropped up from

the same police station case number, hence, with consent of

parties, they are being heard together and disposed of by this

common order.

2. Heard learned counsel for the petitioners and



learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 409, 420, 120(B) of the Indian Penal Code.

4. There is allegation against the petitioners that they in association with Ward Chairmen, Junior Engineer and RK Traders have allegedly withdrawn Rs. 9,25,183/- Rs. 1,50,000/- and Rs. 2,01,993/- by tampering with the Measurement Book and have allegedly embezzled the amount which is for the government schemes.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioner of Cr. Misc. No. 56546 of 2023 is the Ward Sachiv has transferred an amount of Rs. 7,07,500 to R.K. Traders, who was entrusted for work of Nal-Jal Yojana but due to apathy of Government Authorities, who were responsible for the work done under their supervision of the said scheme, was not done time. He submits that the petitioners of Cr. Misc. No. 71081 of 2023 are the ward member and ward secretary and they withdrew the amount by showing incomplete work. He submits that the petitioners have no role to playing execution of any schemes. He further submits that the work has



already been completed. He further submits that petitioner no. 1 of Cr. Misc. No. 71081 of 2023 has one criminal antecedent and rest of the petitioners have no criminal antecedent as stated in para-3 of the bail applications.

6. Learned APP for the State opposes the prayer for bail.

7. Considering the facts and circumstances of the case and the fact that the allegation of embezzlement of fund of exchequer of the government scheme against the petitioners is grave in nature, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Gopalganj Town P.S. Case No. 276 of 2023.

8. However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that the petitioners of Cr. Misc. No. 71081 of 2023 are the female.

(Anjani Kumar Sharan, J)

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