

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64836 of 2024

Arising Out of PS. Case No.-241 Year-2023 Thana- PHULPARAS District- Madhubani

1. Shiv Kumari Devi W/o Birendra Kumar Paswan R/o Village- Belha, P.S.- Phulparas, District- Madhubani
2. Mithilesh Prasad Paswan @ Mithilesh Paswan S/o Yogendra Paswan R/o Village- Belha, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that under Chief Minister Drinking Water Scheme an amount of Rs. 13,00,000/- was given by way of advance out of Rs. 17,00,000/- to Gram Panchayat Raj Brahmpur South, but the work worth Rs. 11,71,192/- was completed, as such, an amount



of Rs. 1,28,808/- was misappropriated.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case by the informant. It is next submitted before instituting the instant F.I.R., no opportunity was given to the petitioners to explain their side of the case. It is next submitted that the cost of the scheme was Rs. 17,00,000/-, but then, the petitioners only received Rs. 13,00,000/-, as such, the entire work could not be completed and the instant F.I.R. came to be instituted alleging that an amount of Rs. 1,28,808/- has been misappropriated. It is next submitted that the petitioners under protest have deposited the said amount.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 trial court within a period of six weeks from today, be released on anticipatory 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 learned trial court where the case is pending/successor court in connection with Phulparas



P.S. Case No. 241 of 2023 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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