

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67131 of 2024

Arising Out of PS. Case No.-21 Year-2022 Thana- SUIYA District- Banka

Ramesh Kumar Azad Son of Jagdish Prasad R/O-Village- Budhuan (Budhua),
P.O.- Chanp, P.S.-Akordigola, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 04-12-2024 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Suiya P.S. Case No. 21 of 2022 (G.R. No.395 of 2022) lodged on 15.02.2022, for the offences punishable under Sections 406, 408, 409 & 420 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against 8 named accused persons including the present petitioner against whom there is an allegation of misappropriation of government money in MNREGA work.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was working as a Junior Engineer during the said period and he has made partial entry for two



alleged programmes only i.e. first and second programme. Counsel submits that prior to the completion of work, he has been transferred to other place and definitely, after completion of work, the person who has transferred to the place of the petitioner have verified the work and then only payment would have to be made. Counsel submits therefore, that the petitioner is not responsible for the entire work, but submits that the work he has been done during his period has been entered in the M.B. book. Counsel further submits that in the M.B. book, a general and vague allegation has been made against the petitioner.

5. Learned Counsel for the petitioner further submits that the criminal antecedent of the petitioner is not clean as there is one criminal case is pending against him. Counsel submits that other co-accused persons have been granted bail by this Hon'ble Court *vide* orders dated 21.11.2022, 19.12.2022, 24.03.2023 & 26.06.2023 passed in Cr. Misc. Nos.31983 of 2022, 33372 of 2022, 74070 of 2022 & 18484 of 2023 respectively.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is true that there is no specific allegation against the petitioner, but it is also true that the alleged defalcation has been made in the government work.



7. As such, considering the aforesaid facts and circumstances and with a view to maintain the parity, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-I, Banka in connection with Suiya P.S. Case No. 21 of 2022 (G.R. No.395 of 2022), subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

Divyansh/-

U		T	
---	--	---	--

