

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76260 of 2024

Arising Out of PS. Case No.-3 Year-2013 Thana- VIGILANCE District- Patna

Deepak Kumar Mishra Son of Rajeshwar Prasad Mishra Resident of Quarter
No. 252, Kankarbagh, P.S.- Kankarbagh, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar, Adv. Mr. Gaurav Prakash, Adv.
For the Opposite Party/s	:	Mr. Arvind Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Vigilance P.S. Case No. 03 of 2013 registered for the offences punishable under Sections 409, 420, 467, 468, 471, 477(A), 120B, 34 of the Indian Penal Code and Section 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act, 1988.

3. Allegedly, all the FIR named accused persons including the petitioner are said to have committed irregularity and illegality in the implementation of Central Scheme of MGNREGA.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. The role of the petitioner was to only supervise the schemes on the basis of the reports submitted by other officials. He had no role in any kind of payment related to the alleged schemes. There is no concrete or direct evidence against the petitioner in this case. It is further submitted that though the instant case was filed in the year 2013, but after investigation, the charge sheet was submitted against the petitioner on 29.01.2024 and when the petitioner came to know about lodging of the present case, without any delay, he filed bail petition before the learned Court below and when his bail petition was rejected by the learned Court below, he moved before this Court for grant of anticipatory bail. It is further submitted that similarly situated co-accused have been enlarged on anticipatory bail by different co-ordinate Bench of this court. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the



case as well as considering the delay in filing of the bail application, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

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

(Anjani Kumar Sharan, J)

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