

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84171 of 2023

Arising Out of PS. Case No.-124 Year-2017 Thana- PIPRAHI District- Sheohar

ANIL KUMAR @ ANIL KUMAR VIMAL, Male, aged about 40 years, S/o
Sri Ravindra Mistri R/o village- Rouda Math, P.S.- Guraru, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Ranjan, Advocate Mr. Niraj Kumar, Advocate Ms. Saloni Sinha, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-03-2024 Heard Mr. Sanjeev Ranjan, learned counsel along
with Mr. Niraj Kumar and Ms. Saloni Sinha, learned counsels
appearing on behalf of the petitioner and Mr. Uday Pratap
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in
connection with Piprahi P.S. Case No. 124 of 2017
registered for the offence(s) punishable under
Sections 406,409,419,420,468,471,120(B),201,34 of the Indian
Penal Code.

3. As per the allegation made in the FIR, public
money was misappropriated by the accused persons named in
the FIR, which was allocated for construction of toilets in Gram
Panchayat, Abhirajpur, under the scheme of Swaccha Bharat



Mission (Grameen) and Lohiya Swaccha Yojana for the purpose of construction of 3065 toilets. Petitioner is also involved in the said misappropriation.

4. Learned counsel appearing on behalf of the petitioner submitted that only allegation is that four beneficiaries were given fund in advance and they had admitted that no toilet has been constructed, however, subsequent to that, as per the report submitted by the Executive Engineer, the toilets were also constructed with respect to the those beneficiaries. It is further submitted that similarly placed co-accused persons have already been granted bail by different co-ordinate Benches of this Court vide Annexures P/5 to P/10. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, **after verifying from the record, as to whether, the four beneficiaries, who have admitted that toilets were not constructed even though the amount was released in their favour but petitioner has given information that Executive Engineer has found that with respect to the four**



beneficiaries, the toilets have been completed during the pendency of the bail application, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Piprahi P.S. Case No. 124 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. With the aforesaid observation/direction, the application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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