

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86574 of 2023

Arising Out of PS. Case No.-806 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

NITISH KUMAR S/O SHRI DEV LAL PAL R/O VILLAGE- MAJHIYANV,
P.S- BELAV, DISTT.- KAIMUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd., APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Bhabhua P.S.
Case No. 806 of 2023 registered for the offences punishable
under Sections 420, 406, 409 of the Indian Penal Code.

3. As per the FIR, the petitioner, being deputed to Block
Office, was handling the scheme under Swachhta Mission. He is
alleged to have paid subsidy or incentive under the said scheme
to 273 such persons who were not entitled to get such subsidy
under the scheme.

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 ever took place. He has been
falsely implicated in this case due to ulterior motive. The



allegation levelled against the petitioner is totally false and based on concocted facts. He was not involved in the commission of the alleged occurrence. He has been made accused in the present case with a view to save skin of the real culprits. There is no specific overt act against him. He has no criminal antecedent as mentioned in para-3 of this application.

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

6. Considering the facts and circumstances of the case as well as the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. Accordingly, the application stands dismissed.

(Anjani Kumar Sharan, J)

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