

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10555 of 2025

Arising Out of PS. Case No.-393 Year-2022 Thana- BIBHUTIPUR District- Samastipur

MANOJ KUMAR S/o- GANGA PRASAD MAHTO R/o- Basauna Ps-
Bibhutipur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 22-09-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Bibhutipur P.S. Case No. 393 of 2022, registered for the offences
punishable under Sections 409 and 420 of the Indian Penal Code.

3. It is alleged that Manoj Kumar (the petitioner), then
Mukhiya of Panchayat Bhushwar, received Rs. 2,00,000/- for Ward
No. 11 and Rs. 4,00,000/- for Ward No. 13 under the *C.M. Village
Gali Nali Pakikaran Yojana* for road construction, but the work was
not completed. An enquiry report dated 07.04.2022 by the Local
Technical Assistant confirmed this, indicating misappropriation of
funds.

4. The learned counsel for the petitioner has submitted
that the account is jointly operated by the Ward Secretary and the
Mukhiya (the petitioner). As a matter of fact, the Ward Secretary



withdrew the amount and half of the amount was deposited by the Secretary Lalit Kishore Sharma, the co-accused. In this respect, the Block Development Officer, Bibhutipur, has sent letter no. 1652 dated 16.08.2024 to the learned ADJ-II, Rosera, Samastipur. The co-accused has deposited half of the amount. He has further submitted that the co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court.

5. On the other hand, learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera at Samastipur in connection with Bibhutipur P.S. Case No. 393 of 2022, subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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