

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12666 of 2025

Arising Out of PS. Case No.-136 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

Sahindra Kumar S/o- Late Bhaso Das R/village - Masudan, P S - Piri Bazar,
Dist. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Piri Bazar PS Case No. 136 of 2023 dated 26-09-2023 instituted
for the offence punishable under Sections 406,409 and 420/34
of the IPC.

3. The prosecution case, in short, is that Binod Kumar
Marandi, Panchayat Secretary of Gram Panchayat Raj Kasba,
filed a written complaint with the Piri Bazar Police Station
stating therein that funds amounting to Rs. 18,88,600/- was
given on 30.11.2018 to former Ward Member Sahindra Kumar
(petitioner) and Ward Secretary Ashok Kumar to carry out a
drinking water project under the Chief Minister's scheme for
Ward No. 13 in 2018-19. However, even after withdrawing the



full amount, only part of the work was done. Since more than 90 days passed without completion, the Gram Panchayat decided to recover the money. Based on instructions from the Block Panchayat Raj Officer, an FIR was registered to recover the unutilised funds.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is the former ward member of Ward No. 13, Gram Panchayat Raj Kasba, Suryagarha, District Lakhisarai. He served as a Ward Member from 2016 to 2021. It is next submitted that the allegation against the petitioner is that he did not complete the work of Gram Panchayat Raj, Kasba. Further submission is that letter No. 31, dated 19-12-2024 (Annexure-2), sent by the Panchayat Secretary and addressed to the petitioner, former Ward Member, and co-accused Ashok Kumar, former Ward Secretary, grants a No Objection Certificate. The said letter specifically states that the work was completed as per the estimate and the necessary documents were submitted to the Panchayat office. Therefore, the petitioner stands exonerated from the charges. Lastly, it is submitted that the petitioner has no criminal antecedents

5. Learned A.P.P. for the State has opposed the prayer



for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Piri Bazar PS Case No. 136 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Lakhisarai, subject to condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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