

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22373 of 2025

Arising Out of PS. Case No.-210 Year-2019 Thana- SARMERA District- Nalanda

Vikash Kumar S/o Subhash Sharma, Resident of Village- Sadha, PS -
Sarmera, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-05-2025 Heard Mr. Manoj Kumar Pandey, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Sarmera P.S.Case No.210 of 2019, registered for the offences
punishable under Sections 406 and 420 of the Indian Penal
Code .

3. As per the allegation made in the FIR, the Petitioner
has misappropriated the government fund allotted for execution
of work under Nal Jal and Nalig Gali Scheme in Ward No.12 of
Husaina Gram Panchayat.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is the Ward Member, as
well as, Secretary of the Managing Committee of Ward No.12.



Learned counsel further submitted that the amount, as alleged in the FIR, has been returned back by depositing a sum of Rs.12 lac, as such, it can not be said that the petitioner has misappropriated the money allotted for execution of the work under Nal Jal and Nali Gali Scheme in Ward No.12 of Hussaina Gram Panchayat. Learned counsel has also submitted that the work has already been completed.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that the amount, as alleged in the FIR, has been returned back and the work has also been completed, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda at Bihar Sharif/concerned court, in connection with Sarmera P.S. Case No.210 of 2019 subject to conditions as laid down under Section 482(2) of BNSS of 2023

7. The learned district court is directed to verify the



criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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