

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23683 of 2025

Arising Out of PS. Case No.-74 Year-2018 Thana- COMPLAINT CASE District- Lakhisarai

1. Mintu Devi wife of Vinod Kumar Village- Lodiya, P.S.- Lakhisarai, District- Lakhisarai
2. Amod Singh @ Aamod Singh Son of Sri Kishun Singh Village- Lodiya, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Kamal Kishore Singh Son of Late Gauri Shankar Prasad Singh Village- Lodiya, P.S.- Lakhisarai, District- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Murari Mishra, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP
For the O.P. No. 2	:	Mr. Madhumay Madhup, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the opposite party No. 2.

2. The petitioners are apprehending arrest in connection with Complaint Case No. 74 C of 2018, registered on 22.02.2018, for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against the petitioners alleging that being a PAX Chairman in the financial year 2009-10 and 2010-11, they have received money illegally which come within the purview of economic



offence prima facie and for which the case has been lodged.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the case has been instituted against the petitioners at the instance of their political opponent. It is submitted that Annexure-P/2 is attached to the bail application, which shows that certain allegations were made against the petitioners in the year 2012 also, in respect of which an inquiry was conducted, but no criminal case was lodged at that time. However, in the year 2018, a complaint case was filed at the instance of the same political opponent, in which cognizance has been taken under Sections 420 and 406 of the Indian Penal Code. Counsel further submits that the petitioners are ready to face trial. Counsel further submits that the petitioner No. 1 has clean criminal antecedent, whereas the petitioner No. 2 has two criminal cases pending against him, in which he is on bail. Counsel further submits that considering this aspect, that the matter had earlier been placed for enquiry in the year 2012 itself and subsequently, in 2018, a new criminal case was lodged, it is prayed that the petitioners may be granted anticipatory bail.

5. Learned counsel for opposite party No. 2 vehemently opposes the prayer for bail and submits that the



petitioner has defalcated a huge amount of government money and received money as bonus, therefore, he may not be released on anticipatory bail, as the Court has taken cognizance under Sections 420 and 406 of the Indian Penal Code.

6. Learned APP for the State opposes the prayer for bail.

7. In the present facts and circumstances, and considering the fact that the matter pertains to the year 2012 and was placed before the District Magistrate for inquiry, but subsequently a private complaint case was filed in the year 2018 in which cognizance has been taken, let the above-named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M., 1st, Lakhisarai, in connection with Complaint Case No. 74 C of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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