

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30031 of 2025

Arising Out of PS. Case No.-267 Year-2024 Thana- NARDIGANJ District- Nawada

Rahul Kumar, S/o Nandu Yadav, Resident of Village-Janki Bigha, Chiraiya
Tola, P.S.- Nardiganj, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 19-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Nardiganj P.S. Case No.267 of 2024 registered under Sections 316(2), 316(5), 318(4) read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, the petitioner along with co-accused persons were involved in embezzlement of Rs.18,76,094/- allotted to Nanora Panchayat, Ward No.1 by Government of Bihar to implement the project under "*Mukhyamantri Saat Nischay Yojna*".

4. It is submitted by learned counsel appearing for



petitioner that petitioner was the ward Secretary of Ward No.1 of Nanora Panchayat but, as he was selected as Constable in Bihar Police, he resigned from the post of Ward Secretary on 10.06.2020 in view of **(Annexure-P/2)**. It is submitted that the FIR in issue was lodged in 2024 itself. It is further submitted by learned counsel that work as allotted to panchayat is almost completed now and moreover this petitioner was not the only signatory of cheque as to withdraw the amount towards expenditure to implement the government policy. The petitioner claimed clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that the allegation of embezzlement is available against this petitioner.

6. In view of aforesaid facts and circumstances, as it appears that petitioner *prima facie* resigned from the post of Ward Secretary in the month of June, 2020, where the FIR in issue was lodged in the year 2024 only, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Nawada/concerned court in connection with Nardiganj P.S. Case No.267 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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