

Arising Out of PS. Case No.-230 Year-2023 Thana- JAGDISHPUR District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manoj Kumar- Advocate
	Mr. Raj Narayan Mishra- Advocate
For the Opposite Party/s :	Mr. Parmeshwar Mehta- A.P.P.
	Mr. Bijendra Kumar Singh- Advocate
	Mr. Kumar Dhananjay Singh- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-08-2025 1. Heard learned counsel for the petitioner, Mr. Manoj Kumar, learned APP for the State, Mr. Parmeshwar Mehta and the learned Advocate Mr. Kumar Dhananjay Singh.

2. On query of the Court from learned Advocate Mr. Kumar Dhananjay Singh that as to whether he is representing the informant, the learned Advocate submitted that he is not representing the informant rather is representing the person on whose complaint, the instant FIR came to be instituted, as such, it gives an impression to the Court that the complainant is pursuing the petitioner for some ulterior reason.

3. The learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant, who is



Executive Officer of the Nagar Panchayat, Jagdishpur, alleges that accused persons including the petitioner misappropriated public money to the tune of Rs.23,66,000/- entrusted to them for consideration of RCC Drain and PCC road.

4. The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the same is cryptic and vague. It is also submitted that petitioner has retired as Junior Engineer. It is next submitted that the informant instead of instituting the instant FIR could have proceeded against the petitioner under the Pension Rules, but then, instead of proceeding against the petitioner under the Pension Rules, the instant FIR came to be instituted. It is also submitted that had an opportunity been given to the petitioner seeking his explanation prior to instituting the FIR, in that event, the instant FIR would not have been instituted. It is next submitted that complainant on whose behest the instant FIR has been instituted is in habit of instituting FIR with frivolous allegation, earlier also the complainant had instituted an FIR against the petitioner. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Considering the submissions made by the learned



counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st, Bhojpur at Ara in connection with Jagdishpur P. S. Case No.230 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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