

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41174 of 2025

Arising Out of PS. Case No.-58 Year-2023 Thana- HASPURA District- Aurangabad

Ranjeet Kumar Son of Sachidanand Singh@ Sachidanand Yadav Resident of
Village- Mauari, P.S.-Haspura, Distt.-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Haspura P.S. Case No. 58/2023 registered for the offences punishable under Sections 420, 406, 409/34 of the Indian Penal Code.

3. As per prosecution case, under the Chief Minister Drinking Water Scheme, Rs.8,25,834/- has been embezzled by Ex-ward Member of Ward No.10 i.e. co-accused Arunjay Kumar @ Bhola of Gram Panchayat, Ahiyapur and the petitioner is also made accused as the then Ward Secretary of the same ward. It is alleged that there is allegation of embezzlement of Rs.68,210/- against co-accused Ranjeet Kumar, son of late Ram Chandra Sao, village- Salempur who



was Ex-ward Member of Ward no.3.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner bears no criminal antecedent. There is allegation of embezzlement against co-accused Arunjay Kumar @ Bhola who is Ex-ward Member of Ward No.10 of Gram Panchayat Ahiyapur and the petitioner is Ex-ward Secretary of of the same ward. There is no whispering of allegation regarding embezzlement of single penny against him and the petitioner has been made accused just because he was the Ward Secretary of the same Ward. He further submits that one of the co-accused of the same name has been made accused of Ward no.3 who was also Ward Member of Ward no.3 and there is specific allegation of embezzlement of Rs.68,210/- so the petitioner has nothing to do with any amount of embezzlement and, *prima facie*, there is no case made out against the petitioner. He orally submits that the petitioner will not abscond rather will cooperate in the investigation to prove his innocence. He further submits that the petitioner is not a government servant hence Section 409 is not made out against the petitioner. Co-accused Arunjay Kumar @ Bhola has already been granted bail with condition that he will complete all the pending work relating to Chief Minister



Drinking Water Scheme in Ward No.10 within a period of six months from the date of his release on bail. In this way, so far as the nature of allegation is concerned the petitioner also deserves anticipatory bail.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and conceded that though there is no specific allegation against the petitioner but the petitioner also remained as the then Ward Secretary of the same ward and he cannot escape from the responsibility of the embezzlement that has been taken place in the same ward.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, there is no specific allegation of embezzlement of single penny against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 58/2023, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court are not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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