

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41275 of 2025

Arising Out of PS. Case No.-322 Year-2021 Thana- NAWADAH COMPLAINT CASE
District- Nawada

-
1. Samina Praveen W/o Ehtesham Kashar R/o Village- Narhat, Post Office- Narhat, P.S.- Narhat, District- Nawada, Bihar
 2. Ehtesham Kashar S/o Kashar Alam R/o Village- Narhat, Post Office- Narhat, P.S.- Narhat, District- Nawada, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manjur Alam S/o Late Iliyash @ Mano Babu R/o Village and P.O. and P.S.- Narhat, District- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ram Prakash Kumar, Advocate
For the Opposite Party/s :	Mr. Md. Fahimuddin, APP
	Mr. Arun Kumar Arun, Advocate
	Mr. Anil Kumar, Advocate
	Mr. Ram Naresh Singh, Advocate
	Mr. Aditya Pushkar, Advocate
	Mr. Sudhir Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-10-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Complaint Case no.322 of 2021, registered under sections 420, 467, 468, 471, 406 and 409 of the Indian Penal Code.

3. As per the prosecution case, the complainant states that the petitioner nos.1 and 2 are wife and husband. It is stated that the petitioner no.1 on the basis of forged documents etc in the year 2016, obtained contracts from the Government under



the *Har Ghar Nal Jal Yojana* Scheme and defalcated huge amounts. As such the case.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The allegations levelled in the complaint are false and concocted and have been made for oblique reasons which would be evident from the contents of paragraph no.7 of the petition, in reference to which it is stated that the petitioner no.2 and son of the complainant were contestants in the Panchayat Elections held in the year 2021 wherein the petitioner no.2 won. It is further submitted by learned counsel for the petitioners that inspite of the complainant having lodged his complaints before the authorities concerned, as would be evident from his solemn affirmation, no action has been taken against the petitioner only for the reason that nothing wrong has been committed by this petitioner. The petitioners undertake to cooperate in the case in the learned Court below.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel appearing for the complainant. It is submitted by learned counsel for the complainant that the petitioners have committed huge defalcation of Government money under the *Har Ghar Nal Jal*



Yojana Scheme by using forged documents. Further referring to the order of the learned Court below, it is submitted that as against providing connections of water supply to 1740 households, the measurement book reflected that 1017 households had been provided connections but actually it was found that only 622 members had been provided the same. Further learned counsel refers to the enquiry report brought on record at page no.19 of the petition to show that there are several discrepancies in the work carried out by the petitioner.

6. Having heard learned counsel for the parties and having perused the material on record, it transpires that the complainant describes himself to be a social worker. It further transpires from the enquiry report at page no.19 which has been referred to by learned counsel for the complainant that the said report has been prepared in March, 2025, under the joint signatures of the Junior Engineers of Narhat, Akbarpur, Warisaliganj as also the Assistant Engineer of the PHED Department. Thus there remains no doubt that the matter in issue has already been looked into by the State Authorities.

7. In view of the nature of allegation made against the petitioners together with the matter in issue having already been taken note of by the State Authorities as evident from the joint



enquiry report, in the facts of the case, it is directed that in the event of their arrest or surrender before the learned Court below within a period of four weeks, both the petitioners be released on anticipatory bail in connection with Complaint Case no.322 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawada.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

