

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48777 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- SABAUR District- Bhagalpur

Vijay Kumar Mandal @ Bijay Kumar Mandal S/o Fulchandra Mandal R/o
Village- Badi Jamin, Thana- Goradih, District- Bhagalpur, (Ex-Mukhiya)
Goradih, Panchayat, Murhan, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Sabour (Goradih) P.S. Case No.37 of 2024 registered under
Sections 409, 419, 420, 467, 468 and 34 of the Indian Penal
Code.

3. This is the second anticipatory bail application filed
on behalf of the petitioner. Earlier, his prayer for bail was
dismissed as withdrawn *vide* order dated 30.08.2024 passed in
Cr. Misc. No. 46645 of 2024.

4. As per the prosecution case, the informant who is
Programme Officer, Goradih in the light of letter No.168 dated
25.01.2024 with respect to MNREGA Scheme No.1 to 5



constituted an enquiry team and they have enquired into the matter and found that there are irregularity committed by the Panchayat Rojgar Sewak, Mukhiya of the Gram Panchayat and the Junior Engineer of Goradih Block, thereafter in the light of letter No.14189 dated 20.12.2023 issued by the Economic Offence Unit, Bihar, Patna, the instant F.I.R. has been lodged.

5. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to dirty local politics. Further submission is that petitioner was then Panchayat Rojgar Sewak and has not defalcated a single government money. He further submits that there is no specific allegation against the petitioner and the allegation of irregularity is general in nature. It is submitted that the DDC-cum-Additional District Programme Officer, Co-ordinator MNREGA, Bhagalpur after completing enquiry has fixed responsibility of realization of an amount of Rs. 2,36,557/- (two lacs thirty six thousand five hundred fifty seven) from the petitioner and the petitioner has deposited the said amount in the concerned account of the authority *vide* NEFT on 18.08.2025 subject to outcome of the final result of the case. It is also submitted that similarly situated co-accused persons have already been granted anticipatory bail by this Court *vide* orders



dated 22.05.2024, 23.05.2024 and 28.06.2024 passed in Cr. Misc. Nos. 32026 of 2024, 31911 of 2024 and 41809 of 2024 respectively (Annexure-P/3 series). Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon 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-I, Bhagalpur in connection with Sabour (Goradih) P.S. Case No.37 of 2024, subject to the conditions laid down in Section 482(2) of the B.N.S.S., 2023

(Sunil Dutta Mishra, J)

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