

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58640 of 2025**

Arising Out of PS. Case No.-136 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

Ashok Kumar S/o Suresh Yadav Village- Masudan, PS- Piribazar, Distt.-  
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      08-09-2025                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 406, 409,  
420 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and the informant  
alleges that an amount of Rs.18,88,600/- was transferred to the  
petitioner (Ward Secretary) and Sahendra Kumar (Ward  
Member) under Mukhya Mantri Pey Jal Nischay Yojna but the  
work was not completed as per estimate, as such, it is alleged  
that the amount was defalcated.

4. Learned counsel submits that petitioner has been  
falsely implicated in the instant case by the informant. It is next



submitted that prior to instituting the instant FIR, no explanation was sought from the petitioner. It is also submitted that had an explanation been sought from the petitioner, perhaps the FIR would not have been instituted. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that the work was not completed as per estimate, which amply demonstrates that the work was done but then the FIR came to be instituted in haste. It is also submitted that Sahendra Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No.12666/2025 and the same was allowed by an order dated 02.04.2025 passed by a learned coordinate Bench.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Piribazar P.S.



Case No. 136/2023, subject to the conditions as laid down under  
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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