

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63524 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- BABUBARHI District- Madhubani

1. Shubhankar Kumar Singh S/o Nashiblal Mahto R/v - Chakarghatta, ward Sachiv of Gram Panchayat Kulhariya, P.s. - Babubarhi, Distt.- Madhubani
2. Afroj Alam @ Chaman Laheri S/o Abdul Kaim R/v Kulhariya, ward Sachiv of Kulhariya Gram Panchayat, P.S.- Babubarhi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash / Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-10-2025 Heard learned counsel for the petitioners and Mr. Pramod Kumar Pandey, learned A.P.P for the State.

2. The petitioners apprehend their arrest in a case, registered for offence punishable under Sections 316(5), 318(4) of the B.N.S., 2023.

3. The informant, who is Block Panchayat Raj Officer, Babubarhi (Madhubani), has alleged that despite withdrawal of the amount from the bank, these petitioners along with other co-accused persons did not complete the work in the concerned ward under '*Nal Jal Yojana*' and thus, misappropriated the government fund.

4. Learned counsel for the petitioners submits that at



the relevant time, petitioners were ward member and ward sachiv of the concerned ward and have already diverted the alleged amount under the scheme to the proprietor of concerned agency namely M/s Shiv Ganga Associate Pvt. Ltd. Madhubani and as such, petitioners are not responsible for non-completion of aforesaid work.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that these petitioners are involved in misappropriation of government money, since on the joint signature of these petitioners money was withdrawn from the bank, but the work was not completed. The department has also filed certificate case against these petitioners regarding recovery of the amount.

6. Considering the nature of accusation and the fact that certificate proceeding is also pending against petitioners for recovery of the alleged amount, the prayer for anticipatory bail of petitioners is rejected.

(Prabhat Kumar Singh, J)

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