

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82180 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- GHOGHARDIHA District- Madhubani

Shankar Kumar Sah Son of Ram Lochan Sah Village- Ward No.-11, P.O.
Baswari, P.S.- Ghoghardiha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. The allegation in the first information report is that the petitioner, who was posted as Panchayat Secretary under Gram Panchayat, had received a total amount of Rs. 14,00,000/- as advance against the total amount of Rs. 16,32,800/- which was allotted for the Nal Jal Scheme. It is alleged that work amounting to Rs. 7,91,069/- was only completed and the ward member and the ward secretary both misappropriated the government money to the tune of Rs. 8,41,731/-.

4. Learned counsel for the petitioner submits that it



would be apparent from the First Information Report itself that out of the total amount received by the petitioner more than half of the work was completed as per the FIR. It has also been submitted that according to the measurement book which has been brought on record by way of Annexure-P/2, it would appear that work worth Rs. 14,13,076/- has already been completed. Annexure-P/3 is the letter written by the Block Development Officer which also confirms the fact that the work amounting to Rs. 14,13,076/- has been completed. In such view of the matter, the petitioner submits that there has not been misappropriation of any money of the government and the petitioner has also been exonerated by the concerned authorities. The petitioner has no criminal antecedent.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Considering all the above mentioned facts and circumstances, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court



in connection with Ghoghardiha P.S. Case No. 72 of 2023,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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