

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79141 of 2024

Arising Out of PS. Case No.-93 Year-2023 Thana- BHARGAMA District- Araria

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Munna Kumar Mandal son of Balchand Mandal village- Sonapur Paikpar,
Ward no. 03, PS- Bhargama, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Priyadarshi, Advocate
		Mr. Priyadarshi, Advocate
		Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s :		Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-02-2025 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest connection
with Bhargama P.S. Case No. 93 of 2023, F.I.R. dated
05.04.2023 registered for the offences punishable under
Sections 406, 420, 467, 468/34 of the Indian Penal Code..

3. The prosecution story in short, according to the
informant Block Development Officer Mamta Kumari is that on
the ground inspection it was found that under the Scheme of
Pradhanmantri Awas Yojna Rs. 26,60,000/- has been embezzled



by Md. Abul Kalam and Sunil Kumar Gupta.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated.

5. Further submits that as per allegation made in the F.I.R. the petitioner has received the amount which was issued in favour of the beneficiaries of the Pradhanmantri Awas Yojna Rural Scheme.

6. Learned counsel for the petitioner on instruction filed a supplementary affidavit stating therein that petitioner received Rs.1,20,000/- and he is willing to pay the same.

7. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner.

8. In view of the aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S.



Case No. 93 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of anticipatory bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(iv) Petitioner is directed to make the Demand Draft of Rs.1,20,000/- in favour of Block Development Officer, Bhargama, Araria and produce the same before the learned court



below and the learned court below is directed to handover the
said Demand Draft to the Block Development Officer or his
representative.

(Rajesh Kumar Verma, J)

Prakash Narayan

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