

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3533 of 2026**

Arising Out of PS. Case No.-236 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

Avdhesh Sah @ Awadhesh Sah S/O Yogendra Sah Resident Of Village-
Lalpur, P.S.- Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER**

2 28-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Runnisaidpur P.S. Case No. 236 of 2019 dated 11.06.2019 registered for the offence punishable under Section/s 406, 409, 420, 467, 468 of the Indian Penal Code.

3. As per the prosecution case, the accusation against the petitioner is of embezzling government funds by transferring money from government accounts of other wards to the account of his close cousin Sundar Sah and transferring Rs. 2,40,000/- from the account of Ward No.6 to the account of RBR Brick Industry and, as also, of tampering with the register, cash register and the scheme register of the Ward Implementation



Committee.

4. Learned counsel for the petitioner submits that as per complaint petition, a sum of Rs. 2 lacs are said to have been credited in the account of cousin of the petitioner while Rs. 2.4 lacs were credited in the account of some brick-kiln industry, whereas, those two persons, who are the recipients, in question, have not been made accused in this case and, for such transfer, the petitioner cannot be held responsible. No reasons have been assigned for not making them accused, while these amounts are the only reason to connect this petitioner in this case. It is the case of the petitioner that the amount, in question, could not have been transferred from the account of the Ward Executive and Implementation Committee, which is to be operated under the joint signature of the Ward Member and the Ward Secretary and, in such transfer, the petitioner may not have any role to play.

5. It is next submitted that the petitioner, for ulterior reasons, has been roped in this case while, the work alleged was examined by the B.D.O., Runnisaidpur and the report contained in letter no. 766 dated 17.05.2025, which is said to have been appended with this petition, clearly shows that the work, in question, in respect of the ward, in question, is said to have been



found to be complete as against the amount, which was allocated in respect of the respective ward. Counsel for the petitioner further submitted that the petitioner bears one antecedent not akin to the allegation of the kind, which is leveled in the instant F.I.R., in which the petitioner is already on bail.

6. Learned APP for the State opposes the prayer for grant of anticipatory bail.

7. Considering the fact that the report of the B.D.O., Runnisaidpur, categorically finds the work under *Nal Jal Yojana* to be complete, which is said to have been floated by the Chief Minister for giving access of tap water in the house of the *Panchayat* and the report does not reflect any violation, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

8. Accordingly, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today 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, Sitamarhi in connection with Runnisaidpur P.S. Case No. 236 of 2019,



subject to the condition as laid down under Section 482(2) of
the B.N.S.S.

(Ajit Kumar, J)

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