

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13899 of 2026

Arising Out of PS. Case No.-175 Year-2025 Thana- MORKAHI District- Khagaria

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Mausam Kumar S/O Nepali Yadav R/O Vill.- Tematha, P.s.- Parbatta, Dist.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Seema Kumari, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-03-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Morkahi P.S. Case No. 175 of 2025 registered for the alleged offence under Sections 406, 409, 419, 420, 467, 468 and 120(B) of the Indian Penal Code.

03. As per prosecution case, on the written report of Block Development Officer, Khagaria, a case has been registered against the petitioner and other co-accused persons for defalcation of money in the implementation of various Schemes being run by *Gram Panchayat -Madar South* and for construction of building of *Panchayat Sarkar*.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case.



The petitioner used to work as Technical Assistant in the concerned *panchayat* and the FIR has been lodged after 09 years of alleged occurrence. Even from the FIR, it is apparent that the allegation is against co-accused *Panchayat* Secretary, the then *Mukhiya* and this petitioner but it is not clear why and how this petitioner has been committed any wrong. The implementation of Schemes and construction of building work was under the jurisdiction of the then *Mukhiya* and *Panchayat* Secretary and petitioner being a Technical Assistant has no concern in implementation of the Schemes. The petitioner is having clean antecedent. Learned counsel further submits that, moreover, the then *Mukhiya* and the *Panchayat* Secretary have been granted anticipatory bail by the different Co-ordinate Benches of this Court vide order dated 04.02.2026 passed in Criminal Misc. No. 7616 of 2026 and order dated 20.02.2026 passed in Criminal Misc. No. 8020 of 2026, respectively.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the delay in lodging the FIR and doubtful nature of accusation against the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of



eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Khagaria/court concerned in connection with Morkahi P.S. Case No. 175 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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