

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18053 of 2026

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

Md. Rauf @ Md Rauof S/o Md Sahadat Resident of Village- Paikpar Ward
No. 5, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nadimul Hasan, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2026 Heard Mr.Nadimul Hasan, learned counsel appearing
for the petitioner and Mr.Ram Naresh Ray, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhargama P.S.Case No.93 of 2023,FIR dated 05.04.2023 registered for the offences punishable under Sections 406,420,467,468,34 of IPC.

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 PM Awas Yojna 26,60,000 has been embezzled by Md. Abul Kalam and Sunil Kumar Gupta and the said money was distributed to 1.Md. Abul Kalam, 2.Sunil Kumar Gupta 3.Md Rauf, 4.Naveen Kumar, 5.Munna Kumar Mandal and 6. Mesar Singh. On the



basis of the written report this instant case was registered.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. As per allegation in the FIR, the petitioner and other co-accused persons have embezzled Rs. 26,60,000/- (Twenty Six Lacs and Sixty Thousand rupees) under the scheme of PMAY (Rural) in the name of other persons. Learned counsel for the petitioner fairly submits that the petitioner has received Rs. 1,60,000/- in his account and as per paragraph-11 of the bail petition the petitioner is ready to return the said amount in the account of the Block Development Officer. Learned counsel for the petitioner submits that the similarly situated co-accused person, namely, Munna Kumar Mandal has been granted privilege of anticipatory bail by this Court vide order dated 14.02.2025 passed in Cr. Misc. No.79141 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and co-accused person has been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the



order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, 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/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) At the time of furnishing bail bond, the petitioner shall deposit Rs. 1,60,000/- by way of demand draft in favour of Block Development Officer, Bhargama, Araria and the learned court below is directed to hand over the said demand draft to the Block Development Officer, Bhargama, Araria or his representative.

(II) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(IV) 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/her criminal antecedent, the court below shall take step for cancellation of 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.

(Rajesh Kumar Verma, J)

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