

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49013 of 2025**

Arising Out of PS. Case No.-186 Year-2022 Thana- SAKURABAD District- Jehanabad

Rambhajan Kewat S/o Rohan Kewat R/o vill - Beldar Bigha, P.S.-  
Shakurabad, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Navin Sharma, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

8      12-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with Shakurabad P.S. Case no.186 of 2022 registered under sections 379, 420, 409 and 34 of IPC.

3. Allegation in the F.I.R is that accused persons including the petitioner herein have committed misappropriation of Rs.19,69,900/- under Gram Panchayat, Kansua.

4. Learned counsel for the petitioner submits that the petitioner, being the President of Ward No. 11 under Kansua Gram Panchayat, duly completed the work assigned to him under *Nal Jal Yojna* of the Chief Minister's Scheme. It is further submitted that upon completion, the measurement reflected work amounting to Rs. 19,69,900/-, however, the



measurement book prepared by the Junior Engineer records the executed work to the extent of Rs. 16,90,185/-. It is further submitted that there was some delay in execution of the work on account of unavoidable circumstances, however, the fact remains that, as admitted even in the counter affidavit filed by the learned APP for the State, the work has been completed. Learned counsel has further contended that the provisions of Sections 420, 379 and other allied sections of the Indian Penal Code are not attracted in the present case, as there was no dishonest intention on the part of the petitioner to commit any offence of cheating or misappropriation. The petitioner has *bona fide* and diligently carried out the work entrusted to him. It is further submitted that by order dated 07.01.2026, this Court has already granted provisional bail to the petitioner.

5. The application for bail is opposed by Mr. Jharkhandi Upadhyay, learned A.P.P. for the State and has submitted that, by way of filing supplementary counter affidavit, the petitioner has done work but it is only to the tune of Rs.16,90,185/- and hence, rest of the amount i.e. Rs. 2,79,760/- has been misappropriated and has not been deposited by the petitioner.

6. Taking into consideration the rival contentions of



the parties and also considering the fact that the work in question had been completed and some dispute with regard to accounting still remains which can be only thrashed out during trial coupled with the fact that petitioner is a public servant having clean antecedent, interim/provisional bail granted to the petitioner vide order dated 07.01.2026 stands confirmed.

7. The application stands disposed of.

**(Soni Shrivastava, J)**

Harsh/-

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