IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58584 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- MANSI District- Khagaria

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Prashant Bharti S/o Late Tapeshwar Prasad Singh R/o village - E - Bindtoli, Sahebpur Kamal, P.S - Sahepur Kamal, District - Begusarai

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B. Yadav
Mr.Rupesh Kumar Singh

For the Opposite Party/state: Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

6 29-04-2026

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Mansi P.S. Case No. 24 of 2025 dated 11.02.2025 registered for the offence under Section 316(4), 316(5) of the B.N.S. 2023.

3. As per the F.I.R. lodged by the Block Development Officer, Mansi, under the orders of the District Magistrate, Khagaria contained in letter no. 76 dated 08.02.2025 the petitioner, a Lower Division Clerk, while holding the post of Block Nazir, Mansi, Block Office Parbatta, did not hand over charge of adjusted / unadjusted audit of Block Nazarat, Mansi, keeping the remaining amount of single lock with himself and difference in the balance amount of cash book and final amount

of cash book and final amount in the bank and played a key role in permanent / temporary embezzlement of government money.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has not committed any offence in the manner alleged. It is further submitted that allegation in sum and substance is that petitioner did not hand over charge of vouchers of Rs. 1,93,06,521.7 /- thus it is not the case of the prosecution that the petitioner has embezzled the amount rather the allegation is that vouchers had not been submitted. It is further submitted that petitioner was ill, as such, he could not submit the vouchers in time but then has submitted vouchers worth Rs. 89 lakhs and odd. It is next submitted that since the F.I.R. was instituted hence the petitioner was not in a position to submit the vouchers with respect to the left over amount. A stand has been taken in paragraph no. 13 of the bail application that the petitioner deposited amount of single lock of Rs. 31991.82 in UCO Bank vide account no. 28780110041970 on 21.02.2025 i.e. after registration of the F.I.R. on 11.02.2025. The petitioner has no criminal antecedent.

5. I have heard learned counsel for the petitioner and perused the material on record. The informant in his re-statement recorded in paragraph no. 05 of the case diary has

stated that the petitioner working on the post of the then Block Nazir, Mansi did not give the account of the amount spent during his tenure from September, 2016 to June, 2021 and he also did not hand over charge of vouchers and kept the single lock (cash amount) with himself and did not give the pass book of the amount deposited in the Bank. Other witnesses in their statement recorded in paragraph no. 06 & 07 of the case diary have stated in similar terms and have supported the prosecution story. The petitioner is F.I.R. named accused and allegedly involved in temporary embezzlement of huge amount of government money. In the memo of charge it is specifically stated that even after lapse of three years the petitioner did not hand over full charge of Block Nazarat, Mansi which creates serious doubt regarding his conduct.

6. Taking into consideration the nature of offence and seriousness of the accusation, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

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