

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70697 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- SHAMPUR District- Munger

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Balkrishna Mehta @ Balkrishna Mahto S/O Late Bhagwan Prasad Mehta R/O
Vill./Mohalla- Ward no. 17, Naya Tola Chandpur, P.S.- Gogari, Dist.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-02-2026 Heard Mr. Kumar Kamal Nayan, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Shampur P.S. Case No. 176 of 2024 registered under
Sections 318(4),316(2),316(5),338,336(3),340(2) of the BNS.

3. The prosecution case, in brief, is that pursuant to
spot verification and enquiry conducted at Gram Panchayat Raj,
Barhouna, Block–Haveli Kharagpur, District–Munger, in
respect of various schemes of the Panchayati Raj Department,
serious irregularities were allegedly detected. These
irregularities were communicated to the informant vide Letter
No. 2887 dated 24.12.2024 issued by the District Magistrate,



Munger. The enquiry purportedly revealed embezzlement and misuse of government funds, including: incomplete master rolls in Yojana No. 05/2023–2024 relating to the renovation of a community hall at Ward No. 12 despite showing expenditure of Rs. 4,93,200/- against an estimated cost of Rs. 4,93,800/- and use of substandard materials in Yojana No. 07/2020–2021 for renovation of a community hall at Mandal Tola, with expenditure of Rs. 8,55,905/- against an estimated cost of Rs. 8,61,500/-, incomplete master rolls in Yojana No. 09/2022–2023 relating to renovation of the Angan Bari Centre at Ward No. 09, despite showing expenditure of Rs. 3,71,532/- against an estimated cost of Rs. 3,37,700/- and incomplete master rolls in another Yojana No. 09/2022–2023 relating to the construction of road and drainage from the house of Navin Mandal to the house of Ramji Mandal, despite showing expenditure of Rs. 12,41,780/- against an estimated cost of Rs. 12,45,600/-. On the basis of these findings, it is alleged that the petitioner, being the Mukhiya of Gram Panchayat Barhouna, violated departmental guidelines, and committed negligence and embezzlement of public funds.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has



falsely been implicated in the present case. Learned counsel submitted that though the petitioner was posted at the relevant Panchayat when the scheme was sanctioned, he was transferred within a period of two months and handed over charge to another Panchayat Sachiv, namely Ajit Kumar, on 17.08.2022. The entire execution of the work was undertaken by the said Ajit Kumar, who, however, has not been made an accused in the present case. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of anticipatory bail and on the basis of the case diary submitted that a sum of Rs. 2,71,546/- was misappropriated by the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused of the materials available on record, this Court finds that since the petitioner was transferred shortly after sanction of the scheme and had handed over charge on 17.08.2022, the extent of his involvement can be ascertained from the Measurement Book with respect to the work executed during his tenure.

7. Accordingly, the learned District Court is directed to verify the entries in the Measurement Book and assess the



quantum of work executed during the petitioners’ tenure.

8. In the event the Measurement Book reflects that the work executed during the petitioner’s tenure corresponds to the amount of Rs. 2,71,546/-, the petitioners shall be released on anticipatory bail.

9. In the event the Measurement Book reflects that the work executed during the petitioner’s tenure corresponds to the amount of Rs. 2,71,546/-, the petitioners shall be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court 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 District Court where the case is pending / Concerned Court in connection with Shampur P.S. Case No. 176 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Purnendu Singh, J)

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