

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78102 of 2024**

Arising Out of PS. Case No.-327 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Shailendra Kumar Son of Om Prakash @ Om Prakash Paswan R/o
Vill/Mohalla- Raktu Tola, P.S- Piro, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi Wife of Manoj Singh Resident of Vill- Sedahan, P.S.- Tarari,
District- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar, Advocate.

For the Opposite Party/s : Mr.Choubey Jawahar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 24-06-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 327(C) of 2022 registered for the
offence punishable under Sections 420, 323, 341 and 504 of the
Indian Penal Code.

3. Allegation is of committing fraud with the State in
connivance with the Secretary, Panchayat Samiti and Mukhiya
of the Gram Panchayat Sedahan, District – Bhojpur.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner has not committed any
fraud and has been falsely implicated in the present case. It is



contended that the petitioner is merely a supplier of materials and has been made prey for the alleged irregularities and fraud purportedly committed by the Ward Member in connivance with the Panchayat Secretary, the Mukhiya of the Gram Panchayat, and the Block Development Officer in respect of implementation of the Nal-Jal Yojana. Learned counsel further submitted that the allegation pertains to supply of different materials allegedly amounting to Rs. 13,08,000/-, and the petitioner is ready to resolve the dispute amicably. On these grounds, it is submitted that the petitioner is innocent and deserves to be enlarged on pre-arrest bail.

5. Mr. Raj Narayan Mishra, learned counsel tendered his appearance on behalf of the complainant and vehemently opposed the prayer for grant of pre-arrest bail to the petitioner. Learned APP for the State has also opposed the prayer for grant of pre-arrest bail to the petitioner.

6. This court finds that the fraud at the grass root level, particularly, at the Panchayat level and Block level in respect of several schemes either of Central Government or State Government, huge amount of public money is swindled out in connivance with the Ward member, Panchayat Secretary, Mukhiya of the Gram Panchayat along with the government



official like Block Development Officer and the District Programme Officer. The petitioner cannot be held to be the sole perpetrator of such crime. In the present case, the ward member has lodged the present complaint, may be because, she may not have received required amount of share in large scale commission of fraud.

7. In absence of GST invoices duly issued in respect of the supply of materials allegedly amounting to Rs. 13,08,000/- and also the fact that the petitioner has failed to bring on record any work completion certificate or the bills allegedly raised by him for claiming payment, I am not inclined to enlarge the petitioner on pre-arrest bail.

8. Accordingly, the present anticipatory bail application stands dismissed.

(Purnendu Singh, J)

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