

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83866 of 2025

Arising Out of PS. Case No.-716 Year-2025 Thana- PHULWARISHARIF District- Patna

Birendra Kumar @ Virendra Sharma S/O Dinanath Mistri R/O Village -
Naralpura, P.O- Chiraura, P.S- Janipur (Phulwari Shariff), Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeeb Kumar Sanju, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 6 17-03-2026 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in Phulwari Sharif (Janipur) P. S. Case No. 716 of 2025 registered for the offences punishable under Sections 316(2), 316(5) of the Bharatiya Nyaya Sanhita.
3. Prosecution case, in brief, is that this petitioner, being Ward Member of Ward No. 9 of Koriyawan Gram Panchayat, illegally withdrew Rs. 1,43,000/- from the account of Ward No. 9, which was allocated for implementation of Chief Minister Rural Nal-Jal Scheme.
4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner was elected Ward Member in the year 2021 and the ex-ward member handed over only Rs. 1,32,944.04/- for implementation



of the said scheme without providing any measurement book or other relevant documents. As a matter of fact, petitioner made complaint against the earlier ward member demanding the due expenses used in repairing of pipes etc. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that there is specific allegation that this petitioner misappropriated government fund and from perusal of the account, it is apparent that withdrawals were made through cheques in favour of this petitioner and he himself received the cash.

6. Considering the nature of accusation and materials available on record, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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