

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1664 of 2026

Arising Out of PS. Case No.-282 Year-2024 Thana- PHULPARAS District- Madhubani

Rajeshwar Mandal @ Raj Kumar Mandal S/o Late Shanti Mandal R/o -
Dumra, P.S - Andhramath, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Alias Ashok Karn

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 05-05-2026

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Phulparas P.S. Case No. 282 of 2024 dated 12.07.2024 registered under Section 420, 409, 34 of the I.P.C.

3. As per the allegation made in the F.I.R. lodged by Pankaj Kumar Nigam, Block Development Officer, Phulparas is that pursuant to the direction given by District Magistrate, Madhubani by letter dated 28.01.2015 to register F.I.R. it is alleged that government fund was misused by the petitioner and others in execution of development schemes of the government. The fund was sanctioned under discretionary fund of the former Hon'ble Member of Parliament Sri Devendra Prasad Yadav. The petitioner has allegedly misappropriated government fund meant for construction of large ghat and did not complete the scheme



of construction of ghat near Shiv temple pond in Kadampura Tola.

4. Learned counsel for the petitioner submits that scheme as alleged was scheme no. 10 / 2007-08 and the scheme was completed by the petitioner. He further submits that petitioner has falsely been implicated in this case after lapse of about after sixteen years from the date of the scheme. The petitioner has not embezzled government fund and he retired about thirteen years back and has been getting all his retirement benefits. The maintenance of the construction made under the scheme was upon government agency and after retirement of the petitioner the present F.I.R. has been lodged belatedly in the year 2024. The F.I.R. does not disclose the total sanction amount of the work allotted to the petitioner, M.B. Book, stage of the work including the work which was left out by the petitioner. The F.I.R. is vague and incomplete and so is the investigation. During course of investigation nothing has come to show the amount which has allegedly been misappropriated by the petitioner, the estimate of the scheme, disbursement of fund etc. and the M.B. book has not been collected during course of investigation. The petitioner is a retired person and at present he is aged about seventy three years.



5. Regard being had to the submission made by the parties, taking into consideration the fact that after sixteen years of the date of the scheme the present F.I.R. has been lodged without any specific allegation of the amount which has allegedly been misappropriated by the petitioner including the fact that petitioner has retired about thirteen years back and he is aged about 73 years, accordingly, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below 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 A.C.J.M.-II, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 282 of 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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