

In the Court of Dist & Addl. Sessions Judge, 3rd Munger.

A.B.A. No. 469 of 2026

Dharhara P.S. Case no. 177/24

Manoj Kumar Singh and others Vs. State of Bihar

21.04.2026

Anticipatory Bail application filed on behalf of the petitioners namely 1. **Manoj Kumar Singh** 2. **Indradeo Prasad** 3. **Manish Kumar Das** 4. **Ganpati Kumar** and 5. **Dhanajay Kumar**, who are apprehending his arrest in connection with **Dharhara P.S. Case no. 177/24**, U/S 420, 406, 409/34 IPC is put up for hearing today.

Heard the learned counsel for the petitioners Kamal kishor as well as learned Addl.P.P.

It is submitted on behalf of the learned counsel for the petitioners are that, **Petitioners had filed an Anticipatory bail before the Session Judge, Munger vide A.B.A. No. 1901/24 on behalf of the petitioner no. 1, and A.B.A. No. 1631/24 filed by the petitioner no. 2, 3 & 4 as well as A.B.A. No. 1560/24 filed on behalf of the petitioner no. 5 Which was heard by the ADJ, III, Munger and the Ld. Adj, III, Munger Allowed the Anticipatory Bail till submission of charge sheet. Now Charge Sheets has been submitted and Cognizance has been taken by Ld. Trial Court. The petitioner no. 1 has one Dharhara P.S. Case No. 17/2003 u/s 341, 323, 325, 379/34 was disposed of and the petitioner was acquitted expect this there is no criminal history against the petitioner and there is no criminal history against the petitioners no. 2 to 5. One co-accused Ajay Kumar Singh Ex-Mukhiya has been granted anticipatory bail no. 181/26 by A.D.J ,I Munger and the case of the said petitioners stand on similar footing.** It is further submitted on behalf of the learned Advocate for the petitioners that the petitioners previously went to for quashing of the present F.I.R. to Hon'ble High Court, Patna, under criminal Miscellaneous No.- 57976/2024 and the Hon'ble Court ordered to stay the arrest of the petitioners

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four week then the superintendent of police, Munger will pass necessary directions for staying the arrest of the petitioner till the conclusion of the investigation. The petitioners approached the Superintendent of Police, Munger, but no order passed by him. Petitioners are innocent and no offence have been committed by them & They have been falsely implicated in this case. The scheme was of the year 2021-2022 that is about three years back and the petitioners have cleaned-up Nala under the said scheme and the disposal of its dirty material through tractor was done according to the said scheme. No case u/s 406, 409 or 420 IPC is made out against the petitioners. Hence the entire allegation are unfounded, baseless against the petitioner. The Scheme was inspected by the B.D.O. and taken photograph of the work and also payment received of the disposal of the dirty material of Nala by the tractor owner. All the allegation falsified the case. No case u/s- 406, 420 and 409 I.P.C. is made out against the petitioners and the petitioners have done the work under the scheme accordingly. The I.O. of this case has submitted charge sheet after formal investigation of the case and hence there is no new material has come in the case Diary against the petitioners. The petitioners are abiding all conditions as imposed upon him in A.B.A. previously. There is no fresh material against these petitioners in the charge sheet and FIR lodged after more than 1 year and no sufficient explanation of delay in lodging FIR has given in this case. Therefore, it is prayed to release the petitioners on anticipatory bail.

On the other hand, learned Addl. P.P. opposed the anticipatory bail prayer of this petitioners.

The case of the prosecution in short is that, In light of order Gayapank 43/Go, dt 05.07.2024 of the District Magistrate, Munger, an order has been received to register an FIR and send the FIR number for the charge of misappropriation of govt money under various scheme in

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21.04.2026 Dharahara Dakshin Panchayat. The allegation against the petitioners are mentioned in the FIR SL No 1, 2, 3 and 6 :- as relating to the different **Scheme No. - given in letter No. 695 dated 19.07.2024** in which it is alleged that, under this Scheme, which was to clean up the drain Construction of home pipe, garbage cleaning and road construction. For which the petitioners have received money without completing the work. On written application of B.D.O, Dharhara, Munger, this case has been registered as Dharhara P.S. Case No. 177/24.

Perusal the original case record and the case diary. From perusal of the case record, I find that the investigation is still pending in this case. As per the para 47 of the case diary there is no criminal antecedent of these petitioners and as per para 3 of bail petition, petitioner Manoj Kumar Singh has acquitted from Dharhara P.S. case No. 17/2003. At para 57 and 68 of the CD 'Prastutui sah Jabti Suchi' is mentioned, where some copies of GPS photographs and documents related with the schemes were attached. Ld Advocate for the petitioners submitted that the petitioners have already completed the work and submitted the GPS map and photographs. The web copy of order passed by the Hon'ble High Court, Patna has been filed and the same is verified from the web site of The Hon'ble High Court, Patna . This petitioners are one of the petitioners in those Cri Mise applications. The petitioners were earlier granted A.B.A. till submission of charge sheet by predecessor court vide A.B.A No. 1631/24 dt. 07.02.2025, A.B.A. No. 1901/24 dt. 07.02.2025 and A.B.A No. 1560/24 dt. 07.02.2025. Charge sheet has been submitted by the I.O. and Cognizance has been taken by the trial Court. No fresh additional facts alleged by Ld. Prosecution counsel and co-accused Ajay Kumar Singh granted bail vide A.B.A. No. 181/2026 dt. 16-03-2026 by predecessor court after submission of Charge Sheet. Under

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21.04.2026 the above facts and circumstances of the case. This court finds that after submission of charge sheet and taking of cognizance by the court, there is least chance of tampering with prosecution evidence. So, it will be proper to enlarge the petitioner on anticipatory bail. Accordingly, anticipatory bail application of the **petitioners Manoj Kumar Singh 2.Indradeo Prasad 3. Manish Kumar Das 4. Ganpati Kumar and 5. Dhanajay Kumar** are **allowed** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each in the event of his surrender or arrest within a period of 20 days of the receipt of this order subject to condition as laid down under section 438(2) of the Cr.P.C. with additional conditions, that :-

01. Both the bailors will family member/ Close relative of the petitioners.
02. Petitioners will file affidavit regarding no criminal antecedent and also not to threaten prosecution witnesses.
03. petitioners will file undertaking as per section 438(2) CrPc.
04. petitioners will physical appear up to hearing of charge & do not indulge in offence again.



Dictated

Sd/-

Dist. & Addl. Sessions Judge III, Munger,

21.04.2026

Copy of order send to the court of Ld A.C.J.M. III, Munger for needful.

Arbee Singh
 Dist. & Addl. Sessions Judge III, Munger,

21.04.2026