

In the Court of Addl. Sessions Judge-II, Danapur.

(Present :- Kshiprachala Anjalee, Addl. Sessions Judge-II, Danapur.)

B.P. No. 653 of 2026.

(Arising out of Rani Talab P.S. Case No. 170 of 2026).

Mani Kant Kumar @ Mintu Kumar, son of Sudama Singh @ Sudama Mahto, Resident of Village-Kanpa, Police Station-Rani Talab, District-Patna Petitioner.

Versus.

The State of Bihar.

..... Opp.Party.

Learned counsel for the petitioner :- Sri Shio Murti Singh, (Advocate)

Learned counsel for the informant :- Sri Anil Kumar Singh, (Advocate)

Learned counsel for the State :- Sri Ramkeshwar Prasad, (Addl. P.P.)

O r d e r.

23-06-2026. This Regular Bail Petition has been filed on behalf of the above-named petitioner, who is in Judicial custody since 15-05-2026 in connection with Rani Talab P.S. Case No. 170 of 2026 registered under Sections 61(2), 318(4), 316(5), 338, 336(3) and 340(2) of the B.N.S., pending in the Court of Md. Shams Tabrez, learned J.M.F.C., Danapur.

It is submitted on behalf of the petitioner that earlier no any bail petition has been filed on behalf of the petitioner either for grant of regular or anticipatory bail before this learned court or before the Hon'ble High Court, Patna. It is further submitted that no any other bail petition pending in any other Court and this is first Regular Bail petition on behalf of the aforesaid petitioner. The petitioner has committed no offence and has been falsely implicated in this case due to village party politics. Entire prosecution story is false and nothing has happened as alleged in the F.I.R. The petitioner has not directly or indirectly connected with this crime. Earlier co-accused gave an application before the S.H.O. Rani Talab P.S. against the informant and other and so this false case been lodged by the informant only with a view to save his skin and grab the rent amount of thresher of Rekha Devi. Nothing incriminating article has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against the petitioner. The petitioner is in Judicial custody since 15-05-2026. The petitioner is ready to abide by any condition imposed by this Court and is ready to give sufficient sureties to the satisfaction of the learned Court. Hence, he may be enlarged on bail.

Learned Addl. P.P. as well as the learned lawyer of the informant vehemently opposed the prayer of bail of the petitioner and submitted that the petitioner has misappropriated the subsidized amount of the government.

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As per F.I.R., the informant Sri Niwas, alleged that on 14-05-2026 at about 11.00 A.M., he was called by Rani Talab P.S. for an investigation by S.I. Rajesh Kumar regarding a written application submitted on 11-05-2026 by Rekha Devi. Following this, he came to know that a fraud had been committed against him by Manikant Kumar @ Mintu Kumar, who fraudulently sold him a thresher machine bearing Serial number SRLNU-DAI-0609 for Rs.2,00,000/- (two lakh) in cash, which is used for paddy threshing. After this, Manikant Kumar @ Mintu Kumar prepared a cash memo for the said thresher machine in the name of Rekha Devi with the intention of embezzling the subsidy. During the investigation of the said application, the Police officers interrogated the following persons one by one in his presence. (1) Sunil Kumar stated that about three years ago, Manikant Kumar @ Mintu Kumar had sold the said machine to Sri Niwas Verma by taking Rs.2,00,000/- in cash through "Smart Agro". The witnesses to this transaction are Amit Kumar and Sunil Kumar. In this regard when Manikant Kumar @ Mintu Kumar was interrogated, he admitted that he had taken Rs.2,00,000/- from Sri Niwas and given him the thresher machine, and that the bill for the said machine was generated in the name of Rekha Devi with the intention of claiming the subsidy. In this context, it is also stated that along with the official letter no. 2067 Agri./Patna dated 15-04-2023 from the District Agriculture Officer, Patna, government money embezzlement cases had come to light against Manikant Kumar @ Mintu Kumar by the District Agriculture Officer, in which the farmer named (1) Sri Ram Kumar Yadav was provided a Chaff Cutter Electric machine on subsidy, in which the address, Agro farm number and name provided by Manikant Kumar @ Mintu Kumar were found to be fake. (2) The farmer Sri Ajit Kumar and another farmer was reported to have been given a Rice Mill on subsidy at a

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subsidized rate in Village-Kanpa Panchayat, Saidabad Block, Bikram, District-Patna. However, both farmers did not possess the said equipment, regarding which a conclusion was drawn by the District Agriculture Officer to register an F.I.R. against Manikant Kumar @ Mintu Kumar. Therefore, it is requested that appropriate legal action be taken against Manikant Kumar @ Mintu Kumar and Rekha Devi, for the aforementioned fraud. On the basis of the written report of the informant, an F.I.R. was lodged under Sections 61(2), 318(4), 316(5), 338, 336(3) and 340(2) of the B.N.S.

It is submitted and disclosed on behalf of the petitioner by way of supplementary petitioner that he is also accused in connection with (1) Rani Talab P.S. Case No. 16 of 2017 dated 14-02-2017 under Sections 341, 323, 406, 379, 504, 34 of the I.P.C. and Section 27 of the Arms Act (2) Rani Talab P.S. Case No. 206 of 2017 dated 02-11-2017 under Sections 364/34 of the I.P.C. (3) Rani Talab P.S. Case No. 188 of 2018 dated 12-07-2018 under Sections 147, 148, 149, 323, 452, 307, 385 of the I.P.C. and 27 of the Arms Act, and (4) Rani Talab P.S. Case No. 51 of 2022 dated 18-03-2022 under Sections 147, 149, 341, 323, 307, 354, 504 of the I.P.C. and Sections 3(I)(r)(s) of SC/ST Act. Learned Addl. P.P. also submitted that the criminal antecedents of the petitioner have been mentioned in paragraph no. 20 of the case diary.

Perused the record and the case diary. It appears that the F.I.R. has been instituted under Sections 61(2), 318(4), 316(5), 338, 336(3) and 340(2) of the B.N.S. alleging that the petitioner, in connivance with other accused persons, fraudulently misappropriated government subsidy by generating false documents and showing subsidy in the names of beneficiaries who had either not received the agricultural implements or were otherwise ineligible. The allegations relate to diversion of public

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funds under a government welfare scheme and disclose commission of a serious economic offence.

It is true that the conduct of the informant also appears to be somewhat dubious inasmuch as he claims to have purchased the thresher machine by making payment of Rs.2,00,000/- in cash, yet no receipt, agreement, cash memo or any other document evidencing either the purchase or the payment has been produced by him. Such omission may have a bearing during trial while appreciating the evidence. However, at the stage of consideration of bail, this circumstance alone is not sufficient to discard the prosecution case, particularly when the allegations are primarily founded upon the investigation conducted by the police and the materials collected from the office of the District Agriculture Officer regarding alleged misuse of the subsidy scheme.

The case diary further reveals prima facie material indicating the involvement of the petitioner. The statements of witnesses recorded during investigation and the documents collected by the Investigating Officer indicate that the petitioner sold the thresher machine to another person while the invoice was generated in the name of another beneficiary for the purpose of obtaining government subsidy. The materials collected during investigation further indicate that similar irregularities have surfaced in respect of other subsidy claims allegedly involving the petitioner, suggesting that the allegations are not confined to a solitary transaction.

The petitioner is also stated to have criminal antecedents, as disclosed in the supplementary affidavit and reflected in the case diary. Considering the gravity and nature of the accusations, the prima facie materials available against the petitioner, the

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alleged misappropriation of public money, the criminal antecedents of the petitioner, and the likelihood of the petitioner influencing witnesses or otherwise impeding the course of trial if enlarged on bail, this Court is not inclined to exercise its discretion in favour of the petitioner.

Accordingly, the prayer for regular bail of the petitioner is rejected.

(Dictated)

Sd/

(Kshiprachala Anjalee)

Addl. Sessions Judge-II, Danapur.