

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-IV,

SAHARSA

A.B.A. NO. 723/2026

Simri Bakhtiyarpur P.S. case no. 243/2007

Lal Mohan Jha

.....Petitioner

versus

The State of Bihar

Order

21.07.2026

1. Anticipatory bail application has been filed on behalf of petitioner namely **1. Lal Mohan Jha**, who apprehend his arrest in connection with **Simri Bakhtiyarpur P.S Case No. 243/2007** registered u/s 467, 468, 469, 406, 420, 419, 120(B) of IPC.

2. The factual matrix of this case is that the present FIR has been lodged on the complaint of Block Development Officer, Simri Bakhtiyarpur namely Ashok Kumar regarding embezzlement of Rs. One lakh, in connection with planning no. 2/1993-94 by forged signature of Deputy Development Commissioner and Executive Engineer N.R.E.P. Saharsa against the then Mukhiya and erstwhile Mukhiya of Kathdumar, Panchayat.

3. Heard Ld. Counsel for the petitioners and Ld. APP for the state.

4. Ld. Counsel for the petitioner to the query of this court that how this present anticipatory bail application is maintainable submits that the petitioner is not named in the FIR, pertaining to the year 2007, but the police is harassing the petitioner by visiting his home, but the petitioner has not mentioned the date and time in the bail petition.

5. However, Ld. Counsel for the petitioner submits that in para 14 of the bail petition he has tried to mention that once petitioner was arrested by the police in the year 2010 but was not remanded by the Ld. CJM, Saharsa because the name of the petitioner was not find in the FIR and there was an error of name of father and address.

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6. Ld. Counsel for the petitioner submits that the present bail petition has been filed after almost 20 years of lodging of FIR because investigation is still going on and police once and then harass the petitioner and threaten to arrest.

7. Ld. Counsel for the petitioner further submits that as per para 166 and 174, the date of incident is 31.06.1995, while it has come in para 233 that the petitioner had joined as panchayat secretary on 24.08.1995 till 15.04.1997 and therefore the alleged incident is 2 months before the petitioner joined as panchayat secretary.

8. Ld. APP vehemently opposes the bail of the petitioner stating that the record shows his involvement in the crime and money was withdrawn during his tenour.

9. considering the rival submission of both the parties **And** petitioner being a senior citizen aged about 70 years **AND** considering the para 233 of the case diary, I.O. is directed **not to arrest the petitioner without giving 10 days written notice** to the petitioner.

Accordingly the bail petition is disposed off.

Dictated
Sd/-

Avinash Kumar I
Dist. & Addl. Sessions Judge-IV
Saharsa