

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1337 of 2025

1. Vishwanath Prajapati @ Bishwanath Prajapati, about 50 years, son of Late Bhupal Prajapati
2. Parasmani Urain @ Parsmani @ Parsmani Uraine, aged about 46 years, wife of Naresh Oraon.

... ... Petitioners

Versus

The State of Jharkhand.

... ... Opposite Party

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Amit Kr. Sinha, Advocate
 For the State : Mr. Rajneesh Vardhan, Addl. PP

03/ 08.07.2025

Heard the parties.

2. This anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, have been preferred by the petitioners apprehending their arrest for offences under Sections 316(5), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. It is alleged that in MGNREGA Scheme, the petitioners had retained money as the same was not spent. The petitioners were directed to deposit the said amount but they did not deposit the same, for which the instant case under the aforesaid Sections has been lodged alleging that the petitioners have defalcated the amount.

4. Learned counsel representing the petitioners submits that the petitioner No.1, namely, Vishwanath Prajapati @ Bishwanath Prajapati has now deposited the due amount of Rs1,46,860/- as directed by the Authority, but the petitioner No.2, namely, Parasmani Urain @ Parsmani @ Parsmani Uraine has not done so.

5. Learned A.P.P. representing the State opposes the prayer for anticipatory bail. However, he also admits that the aforesaid amount has been deposited by the petitioner No.1, namely, Vishwanath Prajapati @ Bishwanath Prajapati.

6. Considering the fact that the petitioner No.1, namely, Vishwanath Prajapati @ Bishwanath Prajapati has deposited the aforesaid amount, I am inclined to allow this application, so far as

the petitioner No.1, namely, Vishwanath Prajapati @ Bishwanath Prajapati is concerned. However, so far as petitioner No.2, namely, Parasmani Urain @ Parsmani @ Parsmani Uraine is concerned, since, she has not deposited the amount as directed by the authority, I am not inclined to grant privilege of anticipatory bail to petitioner No.2, namely, Parasmani Urain @ Parsmani @ Parsmani Uraine.

7. The petitioner No.1, namely, Vishwanath Prajapati @ Bishwanath Prajapati is directed to surrender before the learned court below within four weeks from the date of receipt of copy of this order and on the event of his surrender or arrest, he shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand), with two sureties of the like amount each, to the satisfaction of learned Sub-Divisional Judicial Magistrate, Lohardaga, in connection with Senha P.S. Case No.85 of 2024, subject to the condition that one of the bailers should be a close relative of the petitioner No.1 and other should be a resident of State of Jharkhand, having sufficient landed property in his name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.

8. So far as petitioner No.2, namely, Parasmani Urain @ Parsmani @ Parsmani Uraine is concerned, her prayer for grant of anticipatory bail is rejected.

9. This anticipatory bail application is accordingly partly allowed.

(ANANDA SEN, J.)