

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36543 of 2013

Arising Out of PS.Case No. -37 Year- 2012 Thana -KINJAR District- JEHANABAD

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Niraj Kumar, S/O Kedar Prasad Gupta, Resident Of Village- Shahar Telpa,
P.S- Karpi, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Singh, Advocate

For the Opposite Party/s : Mr. J. N. Thakur (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

5 30-07-2015

The petitioner is an employee working in the National Rural Employment Guarantee Scheme. F.I.R. No.37 of 2012 was registered against the petitioner and certain other officials in Kinjar Police Station of Jehanabad, alleging that they committed certain irregularities in the programmes.

Apprehending his arrest, the petitioner filed ABP No.501 of 2013 in the Court of Sessions Judge, Jehanabad. The same was rejected on 01.07.2013. Hence, this application.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The allegation against the petitioner and others is about certain irregularities in the National Rural Employment Guarantee Scheme. It is a matter of common knowledge that hardly there exists any consistency in the programme and they

are framed in such a way, while lot of money is siphoned off, even honest officer is implicated.

The question as to whether the petitioner committed any irregularities needs to be first established in the departmental proceeding. If he is arrested even while such proceedings are pending, several complications would arise.

Hence, the application is ordered. In the event of arrest or surrender, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad, in connection with Kinjar P.S. Case No.37 of 2012, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(L. Narasimha Reddy, CJ)

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