

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49796 of 2014

Arising Out of PS.Case No. -261 Year- 2013 Thana -THAKURGANJ District- KISANGANJ

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1. Rahimuddin @ Haiber S/o - Hasiruddin Resident of Village - Dhumgarh,
P.S. - Thakurganj, Distt. - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Ramakant Sharma (Law Off. Vig)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 07-05-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Thakurganj P.S. Case No. 261/2013 registered for the offences
punishable under Sections 409, 420, 468, 120(B) of the Indian
Penal Code.

Learned counsel for the petitioner submits that the entire
allegation of defalcation and procurement of public money has been
levelled against the Block Development Officer of Thakurganj
Block. It is further submitted that though the petitioner has no role
whatsoever to play and is an outsider in either the planning
process or in the disbursement of the money which is received
from the District Planning Officer, into the hands of the Block



Development Officer. Yet, the petitioner has been roped in to the present case on the basis of certain malicious statement made by a few of the committee members only because they are nurturing animosity against the wife or this petitioner who is the present Block Pramukh. It is submitted on behalf of the petitioner that without there being a chit of paper or any cogent evidence, only because of certain statements have been made against him, he has been facing prosecution in connection with the present case. It is further submitted that though the allegation rests squarely on the shoulders of the of the Block Development Officer of Thakurganj block and that the said officer has been asked to return the money which had been released by him for implementation of the MSDP Scheme for construction of Aganbari Centers in the blocks yet, the petitioner's implication has been indicated on the basis of the statement of the previous Pramukh who was defeated in the local-body elections by the wife of the present petitioner.

Learned counsel for the petitioner has also invited my attention to Annexure-2 which is an order dated 13.10.2014 passed in Cr. Misc. No. 19455 of 2014 by which a co-ordinate bench of this Court has extended the privilege of anticipatory bail to the Block Development Officer, namely, Peter Minz.

Considering the aforesaid submissions and also the order

dated 13.10.2014, let the petitioner, in the event of his arrest / surrender within a period of two weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Special Judge-Vigilance II, Patna in connection with Thakurganj P.S. Case No. 261/2013 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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