

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42154 of 2015

Arising Out of PS.Case No. -72 Year- 2014 Thana -C.B.I CASE District- MUZAFFARPUR

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Akhilesh Kumar son of Shri Ram Chandra Rai, Mukhiya Resident of
Village- Lahimpur Panchayat Block P.s Vaishali, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar Through Vigilance Investigation Bureau North Bihar
Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C Vig.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-11-2015 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

The petitioner apprehends his arrest in C.B.I. Case No.
72/2014, registered for the offences punishable under Section 409
and other sections of the Indian Penal Code and under Section
13(X) T.W. 13(1) (D) of the Prevention of Corruption Act.

The petitioner was the Mukhia of gram panchayat
Rahimpur. One Rajkumar Singh made complaint about the illegal
payment of old age pension to such persons who died before 2012,
but old age pension was withdrawn in their name.

The learned counsel for the petitioner submits that the
petitioner is Mukhia and he has handed over the charge to Up-

mukhia during the relevant period.

It is further submitted that after enquiry only Rs. 34,000/- is said to have been paid illegally. Petitioner only put his signature. In fact, the Panchayat Sachiv made verification of the persons for payment of old age pension, but from perusal of the FIR and report, it appears that on enquiry it was found that after the month of October, 2012 and till March, 2013, Ram Nandan Rai, Ramanup Giri, Sayo Devi, Tej Narain Rai and others were shown to have received old age pension, but they had died much prior to October, 2012. Many persons got such pension amount.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

Vinita/-

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