

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42211 of 2015

Arising Out of PS.Case No. -205 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Rajeev Ranjan, son of Late Ramadhar Ram, R/o village- Bela, P.S. Bela, District- Muzaffarpur, posted as Programme Officer, Mahatma Gandhi National Rural Employment Guarantee Act, (MNREGA or Mahatma Gandhi NREGA) Block- Banjaria, P.S. Banjaria, District- East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 17-12-2015 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner prays for anticipatory bail in a case
under Sections 406, 409, 420,467, 468, 471, 120B of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated as it is the function of the
Mukhiya and office bearers of the Gram Panchayat to make
payment under the MNREGA to the concerned workers and the
petitioner has no role to play in the matter. It is further submitted
that identification of the labourers and the issuance of the Job
Card is the function only of the Mukhiya and Panchayat Rojgar

Sewak and the Postman and the petitioner cannot be held responsible, if in such circumstances, he has made any payment or in identification of them. It is also submitted that two of the co-accused, Mukhiya and her husband have been granted anticipatory bail by this Court by order dated 28.9.2015 passed in Cr. Misc. No. 39435/2015.

Learned counsel for the State, on the other hand, submits that the Programme Officer is assigned specific role in the matter for payment under the MNREGA scheme and as a matter of fact, when the complaint was made before the District Magistrate, the District Magistrate had authorized him to make an enquiry into the matter but instead of submitted accurate report he had made various false statements in the report in order to protect himself and the other accused persons which clearly shows his involvement in the matter.

On a consideration of the facts and circumstances of the case, this Court does not consider it a fit case for grant of anticipatory bail. The prayer for anticipatory bail is, accordingly, rejected.

(Ramesh Kumar Datta, J)

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