

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11300 of 2015**

Arising Out of PS.Case No. -238 Year- 2013 Thana -SHIVSAGAR District- SASARAM  
(ROHTAS)

- =====
1. Smt. Nibha Devi @ Nibha Devi W/o Sri Raushan Kumar Resident of Village Khadihan, Police Station Shivsagar (Baddi), District Rohtas at present Mukhiya, Gram Panchayat Mahammadpur within Shivsagar Anchal, District Rohtas.
  2. Rajan Kumar @ Rajan Kumar Ray S/o Sri Ram Shankar Rai Resident of Village Bour, Police Station Kargahar (Sidhi O.P.), District Rohtas at present resident of Mohalla Gopalganj, P.S. Sasaram, District Rohtas, presently posted as Panchayat Sewak, Gram Panchayat Mahammadpur within Shivsagar Anchal, District Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Pramod Kumar Pandey (App)

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
**ORAL ORDER**

3      21-05-2015                      Heard learned counsel for the petitioners and  
  
learned Additional Public Prosecutor for the State.

This is an application seeking anticipatory bail in  
  
a case registered for the offences punishable under sections 420,  
  
419, 467, 468/34    of the Indian Penal Code.

Petitioner nos. 1 and 2 are Mukhia and Panchayat  
  
Secretary respectively of Gram Panchayat Mohammadpur in the  
  
district of Rohtas. It is alleged against them that the work which  
  
was required to be executed under MANREGA was being done

with the help of J.C.B. machine of one Laxmi Mahto. Allegedly, the petitioners, in this manner misappropriated the government fund.

Learned counsel for the petitioners submits that the allegation that the petitioners were getting the work done with the help of J.C.B machine which was to be executed under MANREGA scheme is incorrect and, as a matter of fact, said Laxmi Mahto was getting the work done in his own field.

In view of the nature of allegation, let the petitioners above named, in the event of arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Shivsagar (Baddi) P.S. Case No. 238 of 2013, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

**(Chakradhari Sharan Singh, J)**

Amin/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|