

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51506 of 2015

Arising Out of PS.Case No. -155 Year- 2013 Thana -JOKIHAT District- ARRARIA

1. Jai Ram Sharma, Retired Panchayat Sachiv, Gram Panchayat Chahatpur
Son of Late Buchai Sharma Resident of Gokhalapur, P.S. Narpatganj,
District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Shailendra Kumar-I(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-12-2015 Heard learned counsel for the petitioner Shri Mrigank
Mouli along with Sri Sanjay Kumar Sharma and learned A.P.P.
for the State.

The petitioner apprehends his arrest in connection with
Jokihat P.S. Case No. 155 of 2013 for offences alleged under
Sections 406, 409, 420, 467, 468, 471, 120(B)/34 of Indian Penal
Code.

The prosecution case as lodged by one Arshad Jamil,
who claims to be a Social Worker against the Mukhiya &
middleman and the Secretary of Gram Panchayat Raj Gairki
Masuria for misappropriating the Govt. money of Indira Awas
for the year 2009-10. The prosecution case further states that the
petitioner along with Mukhiya, middlemen and Panchayat



Secretary has indulged in connivance and misappropriated the amount meant to be given to beneficiaries under the Indira Awas Yojna. It has been alleged that the said amount had been given to fake persons, who were not entitled to the benefit of such scheme. It has been submitted by the counsel for the petitioner that the informant claims himself to be a social worker but does not specify whether he is a beneficiary to the said scheme, or he has been authorized as a public servant to institute such a case. The counsel for the petitioner further submits that one of the co-accused, namely, Md. Gufran Sabir, who is the brother of the Mukhiya had filed Jokihat P.S. case no. 305 of 2012 against the father of the informant who wanted employment on forged certificate and that is the reason behind implicating the petitioner in a false case. It has further been submitted that a coordinate Bench of this Court has granted the privilege of anticipatory bail to all the other co-accused persons including the Mukhiya in Criminal Miscellaneous Case No. 47707/13 and Criminal Miscellaneous No. 48572/13 on 23.12.2013 on same and similar allegation. I do not propose to take a different view, the petitioner being Secretary of the said Panchayat.

Be that as it may, let the above named petitioner, in the event of his arrest/surrender before the Court below within a

period of six weeks from today, be released on bail on furnishing of the bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Araria in connection with Jokihat P.S. Case No. 155 of 2013, subject to the condition as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J)

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