

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34306 of 2015

Arising Out of PS.Case No. -14 Year- 2015 Thana -BIRUPUR SAHAYAK District- LAKHISARAI

Satyanarayan Mahto Son of late Ramsaran Mahto resident of Village Pali,
P.s Birupur, District Lakhisarai, At present Mukhiya of Pali Gram
Panchayat

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Durgesh Nandan (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 03-12-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in Birupur P.S.
Case No. 14 of 2015 for the offences under Sections 406, 409,
419, 420, 465, 466 and 467 by 34 of I.P.C.

Case diary in the present case which was called for
has since been received.

Learned counsel for the petitioner submits that
though this Mukhiya had no role to play in the schemes conducted
in the village in releasing the money, rather the Panchayat Rojgar
Sewak was to execute the construction works. The aforesaid

schemes were under MANREGA and only Panchayat Rojgar Sewak was the functionary responsible for the construction work. He further submits that the petitioner had withdrawn rupees in Scheme No.09/12-13 but no work was done. Under Scheme No.01/02, 13-14 the work was not done.

Learned counsel for the petitioner further submits that the petitioner had also brought to the notice of the authorities that the said Panchayat Rojgar Sewak had disappeared with the Pass-Book of the Scheme, Register and Cheque Book on account of which several works of Panchayat Rojgar Sewak Scheme had remained pending. He further submits that the informant was himself bound to maintain the accounts of the Gram Panchayat as per Rule 5.5(21) of the Government Circular and also 5.5(12).

It is further submitted that the Mukhiya of the Gram Panchayat cannot issue any cheque for release of the money and, therefore, no such allegation can be saddled against the Mukhiya (petitioner).

Considering the aforesaid facts and circumstances of the case and that there being no further cogent material in the case diary against the petitioner, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of

Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri Rajeev Nayan , J.M. 1st Class, Lakhisarai in connection with Birupur P.S. Case No. 14 of 2015 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Anjana Mishra, J)

AnilKrSinha/-

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