

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44257 of 2014

Arising Out of PS.Case No. -197 Year- 2012 Thana -BANIAPUR District- SARAN

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Babu Lal Ram Son of Late Mohar Ram, Resident of Village - Pithouri
Taktha, P.O. - Paigambarpur, Police Station - Baniapur, District- Saran
(Chapra).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Ashraf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 30-03-2015 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

During execution of MANREGA scheme,
irregularities have been detected through which huge amount has
been misappropriated.

It has been submitted on behalf of petitioner that
conduct of the prosecution does not happen to be bona fide. In
spite of having been directed by the District Magistrate/Collector
to ask for a show cause, instead of asking for show cause, instant
criminal case has been registered. Furthermore, it has also been
submitted that whatever irregularity has been perceived it
happened due to transfer of Junior Engineer. No other Junior
Engineer has been posted. So, submitted that it is a fit case for

grant of anticipatory bail.

At the other end, the learned A.P.P. opposes the prayer for anticipatory bail and submitted that the scheme is benevolent in nature, has become a milching cow for unscrupulous persons and the present one happens to be a good illustration thereof. Petitioner was entrusted with the work, who withdrawn the amount, digested the same and when came to the stage when he has to answer, he intends to put cap over the head of Junior Engineer.

Taking into account, the allegation on its face, the petitioner is not at all found entitled for an anticipatory bail.

Consequent thereof, petition is rejected.

(Aditya Kumar Trivedi, J.)

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