

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13088 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -AANTI District- GAYA

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Shri Nandjee Prasad, Son of Sri Sampat Prasad, Resident of Village-
Sikraul, P.S. Sikraul, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Aanti
P.S. Case No. 40 of 2016 instituted for the offence under
Section(s) 406, 409, 420 of the Indian Penal Code.

The informant who is Programme Officer,
Konch Block gave written report alleging that this petitioner along
with other accused persons misappropriated the amount of
MANREGA amounting to Rs. 10,55,323/-. The written report was
filed on the order of D.D.C, Gaya. The D.D.C also issued notice to
all the accused persons including the petitioner and the reply of
show-cause was filed by the petitioner. The Lokpal, MANREGA
rejected the explanation of the petitioner and on the basis of



enquiry report of Lokpal, MANREGA, the defalcated amount of Rs. 10,55,323/- was directed to be paid by all the five accused persons including the petitioner after distributing the amount and petitioner and others were directed to deposit the aforesaid amount till 22.11.2016.

It has been submitted on behalf of the petitioner that petitioner was working as Panchayat Technical Assistant. The petitioner's duty was to assess the work and give the report to the higher officials.

The enquiry report of the D.D.C, Gaya has been enclosed with the F.I.R in which in the concluding paragraphs, it has been stated that there was no sign of planting of trees and the trees got dried because of insufficient watering. It has also been found during enquiry that petitioner and other accused, on the basis of forged thumb impression and signature, withdrew the amount in the name of forged persons.

In such circumstance, this Court is not inclined to enlarge the petitioner on anticipatory bail. The prayer of the petitioner for anticipatory bail is rejected.

The petitioner is directed to surrender before the Court below within a period of six weeks from today in connection with Aanti P.S. Case No. 40 of 2016 and seek regular



bail, which shall be considered and disposed off on its own merit
without being prejudiced by the order of this Court.

(Sanjay Priya, J)

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