

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7889 of 2017

Arising Out of PS.Case No. -128 Year- 2016 Thana -MAHESI District- SAHARSA

- =====
1. Shiv Shankar Chaudhary S/o Late Nankeshwar Chaudhary R/o Village- Rajanpur, P.S.- Mahesi, District- Saharsa.
 2. Narayan Jha Son of Late Babu Ji Jha, Resident of Village- Nakuch, P.S.- Mahesi, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar
For the Opposite Party/s : Mr. Sri Rana Randhir Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Mahesi P.S. Case No. 128 of 2016 instituted for the offence under Section(s) 419, 420, 409 of the Indian Penal Code.

It is alleged in the written report that petitioner No. 1 was provided total amount of Rs. 9, 75,000/- during the financial years 2006-07 to 2010-11 for construction of school building under Sarva Shiksha Abhiyan but he has misappropriated



the aforesaid amount. It is further alleged that petitioner No. 2 has been provided Rs. 8, 11,000/- for construction of school building under Sarva Shiksha Abhiyan for the financial year 2011-12 but he has left the construction work incomplete and thereby misappropriated Rs. 4,09,498/-.

It has been submitted that both the petitioners are ready to complete the work.

This Court is not satisfied with the submission of the counsel for the petitioners since the money has been sanctioned to the petitioners for the financial years 2006-07 to 2011-12 and for the last eight to nine years they have not finished the work and misappropriated the money. There are serious allegations against the petitioners that petitioners being government servants misappropriated the money which was sanctioned for the construction of school building under Sarva Shiksha Abhiyan.

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

The petitioners are directed to surrender before the Court below within a period of six weeks from today in connection with Mahesi P.S. Case No. 128 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)

Shageer/-

U		T	
---	--	---	--

