

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9171 of 2017

Arising Out of PS.Case No. -21 Year- 2016 Thana -DEOKUND District- AURANGABAD

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1. Pankaj Kunal, S/o Mahendra Prasad Singh, R/o village Bindawal, P.S. Khijarsaray, District Gaya, at present posted as Programme Officer, Goh Block, P.S. Goh, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-04-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Deokund P.S. Case No. 21/2016 registered for offence punishable under Sections 120B, 420, 467 and 468 of the Indian Penal Code.

Allegation against the petitioner is that he was entrusted to enquire into the matter and to submit his report by the Public Grievance Redressal Officer, Daudnagar, regarding embezzlement of the government money by *Rojgar Sewak, Mukhiya of Bantara Panchayat* under *Mahatama Gandhi Rojgar Yojna*. The petitioner submitted false report to save *Rojgar Sewak* that only rupees thirty thousand have been misappropriated, whereas, the fact was that more than rupees fifty lacs have been misappropriated by *Mukhiya*



and *Rojgar Sewak* by preparing false job card. The Public Grievance Officer had also ordered to take disciplinary action against *Rojgar Sewak*.

It has been submitted on behalf of the petitioner that one co-accused, Zeyaul Haque, has been directed to deposit ₹66,552/- with interest in the account of *Bantara Panchayat* after enquiry as per order of the Government.

There is specific allegation that accused No.1, who was *Rojgar Sewak*, has issued job cards, whereupon, accused No.3, who was *Mukhiya* of *Bantara Gram Panchayat*, had attested photographs affixed thereon. The accused persons made false attendance and muster roll and bills were passed by Programme Officer under conspiracy of each other. It is further alleged that as per express norms, labourers are to be chosen either from the village or in case of non-availability from the village, not far from five kilometer, but the accused persons have impersonated their close relatives as labourers living at Daudnagar, forty kilometer away from the *Panchayat* village. The informant has furnished a detailed list of job card holders in whose account amount was deposited in utter disregard to norms and rules. Even *Mukhiya* has withdrawn amount from the accounts of his sons. The Programme Officer (petitioner) has prepared false report to protect the accused



persons.

Learned APP after looking into the case dairy has submitted that the informant in his re-statement has supported the case.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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