

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40567 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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1. Ramchandra Prasad @ Ramchandra Singh, son of late Chuman Lal Singh, R/o Village- Harhariya, P.S.- Terhagachh, District- Kishanganj, At present Revenue Karmchari, Gram Panchayat Andi, P.S.- Asthawan, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 12-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Asthawan P.S.**

Case No.02 of 2017 instituted for the offence under Section(s) 409, 420, 467, 468, 471/34 Indian Penal Code pending in the Court of the **Additional Chief Judicial Magistrate, V, Biharsharif, Nalanda.**

As per First Information Report, which has been registered on the basis of complaint lodged by the villagers, a list of farmers affected from the damage of crop due to flood was prepared by the Chairman *Mukhiya*, Revenue Clerk (petitioner), *Panchayat Sevak* and others for giving benefit to those farmers, but the real and needy farmers have not been given benefit under



this scheme and fake persons have been benefited on the basis of fake papers and petitioner along with other accused misappropriated all the government amount.

Petitioner is Revenue Clerk, who had verified different rent receipts and on the basis of his verification funds had been released.

Case diary was called for, which has been received.

Learned APP has submitted that the Informant in his further statement in para 4 and other witnesses in para 5, 6 have supported the case and have levelled specific allegation of misappropriating money by this petitioner and other accused persons on the basis of forged rent receipts. The supervising authority has also found the allegation true in the supervision note.

It has been submitted that one of the co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 22.09.2017 passed in Cr. Misc. No.42081of 2017.

From perusal of the aforesaid order, it appears that all these facts were not brought into the notice of co-ordinate Bench.

In such circumstances, this Court does not find it a



fit case for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is rejected.

Petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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