

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54752 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -MADHEPUR District- MADHUBANI

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Md. Shrafuddin Ansari @ Md. Sarfuddin, son of late Fazlur Rahman, resident of mohalla Karamganj, P.S. Lahariasarai, Distt. Darbhanga, presently residing at Mohalla Bhadurganj, P.S. Laherasarai, Distt. Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyavrat Verma, Advocate.

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Madhepur P.S.

Case No. 43 of 2016 instituted for the offence under Sections 406, 209, 420, 467, 468 and 120(B) of the Indian Penal Code.

First Information Report has been registered on the basis of report of the joint inquiry team constituted by the District Magistrate, Madhubani, to look into the irregularities which have occurred during the allotment of houses and disbursement of fund under Indira Awas Yojana in Madhubani Block. The Joint team has submitted his report to the District Magistrate on 23.9.2015, which is part of the First Information Report in which they have pointed out various irregularities, which have been committed by the petitioner and other accused persons in disbursing the



assistance amount under the Indira Awas Yojana to the beneficiaries. It is alleged that the petitioner was given the charge of six Panchayats and during financial year 2014-15, the petitioner has issued 41 advices which includes 143 beneficiaries and assistance amount of Rs.56,35,000/- were disbursed. It is also alleged that the beneficiaries for the year 2014-15 were selected by the petitioner and the then BDO, and in most of the advices which were sent to the SBI, Rahuasangram Branch, Regional Rural Bank, Rambagh Branch, the Panchayat and BPL serial number of the beneficiaries are mentioned, but the petitioner during the years 2009-10 to 2013 -14 after getting approval from the then BDO Amrendra Kumar, sanctioned new revised assistance fund with respect to the beneficiaries of 2009-10 to 2013-14 and also disbursed the first installment in their favour, which is in complete violation of the guidelines under the Indira Awas Yojana.

It has been submitted on behalf of the petitioner that he has made payment on the basis of direction of the superior authority.

As mentioned above, there is direct allegation against the petitioner of defalcating government money. Therefore, this Court does not find it a fit case for grant of anticipatory bail to the



petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail which shall be disposed of by the court below in accordance with law without being prejudiced by this order of the Court.

(Sanjay Priya, J)

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