

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39833 of 2017**

Arising Out of PS.Case No. -42 Year- 2017 Thana -ASHTHWAN District- NALANDA  
(BIHARSHARIFF)

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Shiv Balak Prasad, Son of Late Jagdish Prasad, Resident of Village-Khakhara, P.S.-Sheikhpura, District-Sheikhpura, at Present B.A.O., Asthawan Block, P.S.-Asthawan, District-Nalanda.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Brajesh Prasad Gupta, Advocate.

For the Opposite Party/s : Mr. Sri Murlidhar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**  
**ORAL ORDER**

3      12-12-2017                      Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Asthawan P.S. Case No. 42 of 2017, registered under Sections 409, 403, 420, 467, 468, 471 and 120B of the Indian Penal Code.

The accusation is that petitioner being the then Block Agriculture Officer in collusion of Block Development Officer, Panchayat Sevak, Revenue Clerk and Mukhiya of Panchayat Andi distributed the compensation amongst the farmers, who were not within the preview of beneficiaries and several persons, who were entitled for compensation, were left out including the complainant.

Learned counsel for the petitioner submits that, in fact,



the list of beneficiaries under the circular for providing the compensation to the farmers was prepared by Mukhiya, Revenue Clerk and Panchayat Sevak, which was simply forwarded by the petitioner and thereafter the amount was transferred to the Bank in the account of the beneficiaries. There is no allegation that the petitioner has misappropriated the money under the aforesaid scheme.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-V, Nalanda, in connection with Asthawan P.S. Case No. 42 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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