

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49691 of 2016

Arising out of P.S. Case No. - 144 Year - 2016 Thana - HISUA District - NAWADA

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Anil Kumar, S/o Bhuneshwar Pd. Yadav, R/o of Vill. - Pachamba, P.S -
Rajauli, Distt. - Nwada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate

For the Opposite Party : Mr. Sri Rajkishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-01-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420, 467 and
468 of the Indian Penal Code.

Allegation against the petitioner is that without
administrative approval and only on the basis of technical
approval, he executed the work of earth filling at the referred
place. However, instead of using the man power, he used machine,
against the requirement of MANREGA Scheme and, as such,
defalcated money. There is further allegation of tampering with
the record.

Submission of the petitioner is that there is no
reference of nature of tampering, in fact, no work was done, at all,



as the scheme was itself not sanctioned as stated in the FIR. No money had been drawn by the petitioner.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada/Successor Court in connection with Hisua Police Station Case No. 144 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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