

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30828 of 2017

Arising Out of PS.Case No. -26 Year- 2014 Thana -AMAUR District- PURNIA

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1. Md. Jawaid, Son of Saghiruddin, Resident of Village- Lakhana, P.S.:
Kasaba, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwanath Prasad Singh

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Amour P.S. Case No. 26
of 2014 instituted for the offence under Sections-420, 409 of the Indian
Penal Code.

It is alleged in the written report that this petitioner being
Panchayat Secretary, Gram Panchayat Bada Idgah has received Rs.
6,60,000/- advance in January 2013 to April 2013 for distributing social
security pension but he did not file bills and did not deposit the
remaining amount to Nazarat. The informant did not find any record in
Panchayat Bhawan. Thereafter, the case has been registered.

Counsel for the petitioner has submitted that he has been
departmentally proceeded and ex-parte order of punishment was passed
against the petitioner. He has filed appeal. It has further been submitted
that he has filed document in office but he could not file detail of the



money because of illness and the matter is under verification.

This court is not satisfied with the submission of the petitioner. The petitioner has not appeared in departmental proceeding and the same was proceeded ex parte and order of punishment was passed against the petitioner. He did not submit the report to his office till 2014 i.e. filing of the instant case. There is specific allegation against this petitioner of misappropriating the amount of Rs. 6,60,000/- which he received as advance in January 2013 to April 2013 for distributing social security pension.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected.

The petitioner is directed to surrender in the court below within four weeks from today and seek regular bail which will be considered by the court below on its own merit in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

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