

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48070 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Meghnath Bhagat, Son of Late Harihar Bhagat, Resident of Village-
Chintamani, P.O.-Madrana, P.S.-Vaishali, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.49148 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Ramnath Singh, Son of Late Ram Kalash Singh, Resident of Village-
Makkanpur, P.O.- Jandaha, P.S.- Mahnar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.48070 of 2017)

For the Petitioner/s : Mr. Ajay Kumar Thakur
Babita Kumari,
Mr. Shashank Shekhar

For the State : Mr. Sanjay Kumar, APP

For the informant : Mr. Shashi Bhushan Kumar.

(In Cr.Misc. No.49148 of 2017)

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 29-01-2018 Heard learned counsel for the petitioners and the

State.

Both petitions arise out of the same case i.e. Vaishali

P.S. Case No. 191 of 2017 registered under Sections-420, 409/34



of the Indian Penal Code, in which petitioners apprehend arrest and accordingly, both petitions are being heard together and disposed off by this common order.

The FIR has been lodged against the then Mukhiya and Panchayat Secretary (petitioners) by Block Development Officer making allegation that both these petitioners have committed financial embezzlement in distribution of Social Security Pension scheme of Government, which was for the poor persons. The matter was enquired by two members committee consisting of Block Welfare Officer and Block Panchayati Raj Officer. Both the officers have found that petitioners have withdrawn the money of Social Security Pension scheme against ten dead persons and seven persons, who were not entitled as they were either government employees or retired from Govt. service and also by obtaining forged signature of Sub Divisional Officer, Hajipur, payments were made to different persons under the Social Security Pension scheme. They also found that the payments, shown to have been made under the scheme to the different persons by putting thumb impression of only one person in front of other's name on the voucher.

Counsel for petitioners has pointed out towards Annexure-2 to show that money was distributed to the persons till they were alive and no payment was made to the persons after their death. But from the aforesaid document (Annexure-2), it appears that it has been certified



by the Mukhiya Geeta Devi who is said to be wife of petitioner Meghnath Bhagat. There is no certification of any government officer over these documents.

The day-to-day register of the payment of money of Social Security Pension Scheme was called for and the same has been received.

Counsel for the State has submitted that in the case diary, there is allegation against these petitioners of embezzlement of government money in the manner as alleged in the written report.

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

The petitioners are directed to surrender in the court below and seek regular bail which will be considered and disposed of by court concerned on its own merit, in accordance with law, without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

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