

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15889 of 2018

Arising Out of PS.Case No. -129 Year- 2017 Thana -ARA
MUFFSIL District- BHOJPUR

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Kundan Kumar S/o Saryu Prasad, R/o Mohalla- Shivajee
Nagar, P.S.- Digha, District- Patna, at present posted as
Programme officer at Sherghati, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2018 The petitioner seeks bail in anticipation of his arrest in connection with Ara Muffasil P.S. Case No. 129 of 2017 dated 22.06.2017 instituted for the offences under Sections 420, 406, 409, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

The allegations in the F.I.R are of embezzlement of government fund, irregularities in performance of government work and misappropriation of money while implementing MANREGA scheme. The petitioner, at the relevant time, was the Programme Officer of the concerned Panchayat, who is alleged to have certified the wrong entries made in the measurement book of the Junior Engineer.

The learned counsel for the petitioner has submitted that the only job of the petitioner as a Programme Officer is



to supervise the functioning of the coordinate authorities in implementing the MANREGA scheme. It has further been submitted that the scheme was not executed in a proper manner and the records even were not opened for the petitioner to supervise the functioning of the authority. That apart, it has been submitted that he did not have any methodology to find out that the entries made by the Junior Engineer was incorrect.

One of the co-accused persons of this case viz. Bachcha Pandey @ Bachha Pandey, who, at the relevant time was the Assistant Engineer, MANREGA, DRDA, Bhojpur, has been granted anticipatory bail by a Bench of this Court vide order dated 20.09.2017 passed in Cr. Misc. No. 43037 of 2017(Annexure-2 to the petition).

Considering the aforesaid facts, the petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, is directed be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Mufassil P.S. Case No. 129 of 2017.

(Ashutosh Kumar, J)

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