

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1324 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- PIPRAHI District- Sheohar

=====

Anil Kumar, Son of Sri Ravindra Mistri Resident of Village Rouda Math, P.S.
Guraru, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Shailendra Kumar -2

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Piprahi P.S. Case
No. 124 of 2017 instituted for the offence under Sections
409,406,419,420,468,471,201,120(B),34 of the IPC.

Counsel for the petitioner has submitted that at the
relevant time petitioner was posted as Junior Engineer PHED
Sheohar.

The allegation against the petitioner is that after
construction of individual toilet in Gram Panchayat Raj
Abhirajpur, Bairiya without physical verification he approved
and gave certificate that toilet has been completed and
recommended for payment.

Counsel for petitioner has submitted that other co-



accused in this case has already been granted anticipatory bail by a coordinate board of this Court by order dated 02.02.2018, passed in Cr. Misc. No. 61622 of 2018.

The case diary has been received. After looking into the case diary, it appears that an amount of Rs. 3,67,80,000/- was allegedly made available in several installments to the Gram Panchayat of Abhirajpur, Bairiya, under the schemes of Swachha Bharat Mission (Gramin) and Lohiya Swachhata Yojana for the purposes of construction of 3065 toilets.

It is alleged that the present Mukhiya namely Smt. Ruby Devi, has submitted that construction of 3065 toilets did not take place in the Panchayat. The inspection committee in his report has found that 1519 toilets was constructed. From the report, it appears that 626 beneficiaries admittedly stated that they got the requisite cash incentive from the gram-panchayat but they never constructed the same. The petitioner was authorized to keep an eye on the entire process including the site inspection and report any misappropriation.

It is alleged by the informant that the petitioner failed



in his duties to upload list of genuine beneficiaries on the website of Swachha Bharat Mission(Gramin) and to perform physical verification of toilets before making available the list of beneficiaries to the senior officials for payments.

In the written report itself, there is specific allegation against the petitioner at item no. 3.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, this anticipatory bail petition stands rejected.

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

(Sanjay Priya, J)

khushbu/-

U		T	
---	--	---	--

