

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7735 of 2019

Arising Out of PS. Case No.-3 Year-2013 Thana- C.B.I CASE District- Muzaffarpur

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1. MD. AASIF IQBAL age 41 years(male) Son of Abdul Wahab Resident of At and P.O.- Birpur Singhara, Police Station- Mahua, District-Vaishali.
 2. Sanjeev Kumar Rai age 43 years(male) Son of Ram Yogi Rai Resident of Aazad Nagar Samastipur, Police Station- Muffasil, District- Samastipur.
- Both are Ex-Program Officer Marban Block, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Deptt, Through I.G.Vigilance at Patna, P.s.- Secretariate, Dist.- Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2019 Heard both sides.

The petitioners apprehend their arrest in Vigilance P.S. Case No.3 of 2013, corresponding to Special Case No.3 of 2013 registered under Sections 409, 420, 467, 468, 471, 477(A), 120(B) and 34 of the Indian Penal Code read with Section 13(1) (d) and 13(2) of the P.C. Act.

The Superintendent of Police(Vigilance), Investigation Bureau alleged that the then Mukhiya, Program Officer, Rojgar Sewak and others of Raksa Panchayat misappropriated the amount of MANREGA.

The learned counsel for the petitioners submits that petitioner No.1, Md. Aasif Iqbal was working as Program Officer in Raksa Panchayat in the year 2008-09 and after his



transfer, the work under MANREGA was undertaken. Petitioner No.2 was also posted in Raksa Panchayat as Program Officer after the completion of work. None of the petitioners supervise the work done by Mukhiya and Panchayat Sewak under MANREGA scheme. It is further submitted that similarly situated all other co-accused Makhan Lal Gupta, Malti Devi and Nandu Thakur have been granted anticipatory bail by co-ordinate Bench of this court vide Cr. Misc. No.10607 of 2014 and Cr. Misc. No.14105 of 2014.

Taking into consideration the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Spl. Judge, Vigilance, North Bihar at Muzaffarpur, District-Muzaffarpur in connection with Vigilance P.S. Case No.3 of 2013(Special Case No.3 of 2013), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Saurabh/-

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(Prabhat Kumar Jha, J)

