IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8717 of 2019

Arising Out of PS. Case No.-285 Year-2018 Thana- DUMRA District- Sitamarhi

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Murari Paswan, Son of Late Dev Kuamr Manjhi Resident of Village - Chirand, P. S. Doriganj, District - Chapra (Saran).

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Madhubala Verma
For the Opposite Party/s : Mr.Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 15-07-2019 Heard leaned counsel for the petitioner and the leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Dumra P.S. Case No. 285 of 2018, registered under Sections 406, 409, 420, 467, 468, 471 and 472/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Sitamarhi.

Accusation is that in course of inquiry, it was detected that from the two accounts of Axis Bank of District Welfare Officer, Sitamarhi, petitioner being the Nazir-cum-Incharge of Pri-Matric Scholarship Scheme by putting the fake signature of the District Welfare Officer, Sitamarhi transferred the money of scholarship to different schools, which were withdrawn by opening the fake account in the name of scholars with the collusion of Md. Kamal Pasha, Head Assistant, Sunil Kumar Suman, Clerk and Harendra Kumar, Computer Operator. It was also detected that in the cash book of pre-matric scholarship through letter No. 228, dated 29.03.2017, amount of scholarship was transferred to the schools of ten blocks of Sitamarhi, including the Dumra Block from the account of Axis Bank, Sitamarhi Branch, but, again, entry was made for transfer of Rs. 59,94,600/- to the schools of Dumra block from account of Axis bank, Sitamarhi Branch and several other irregularities were also found.

Learned counsel appearing on behalf of the petitioner submits that while allegation against the petitioner is that he being the Nazir-cum-Incharge of scholarship of District Welfare Officer, Sitamarhi transferred the amount by putting the forged signature of the District Welfare Officer, Sitamarhi, on the cheques of Axis Bank of Sitamarhi Branach, but it was not inquired, whether the signature as put on the dispute cheque was of District Welfare Officer or not. Further submission is that petitioner was posted on the post of Nazir-cum-Incharge of District Welfare Officer, Sitamarhi on 29.02.2016 and the amount of scholarship was being transferred since before to the schools of different blocks of the District Sitamarhi from the same accounts of the District Welfare Officer, Sitamarhi.

Learned A.P.P. appearing on behalf of State submits that it has come in paragraph No. 62 of the case diary that petitioner with the help of bank employee transferred the amount through RTGS in fake accounts of Md. Ali Ansari, Shahin Pravin, Parveen Ara, Md. Bilal, Abdul Wahid and Madina Khatoon.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands rejected.

(Rajendra Kumar Mishra, J)

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