

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29862 of 2020

Arising Out of PS. Case No.-164 Year-2019 Thana- NALANDA District- Nalanda

MANOJ KUMAR @ MANOJ KUMAR VERMA Son of Jitendra Kumar
Verma Resident of Village - Ahiyapur, P.S.- Konch, District - Gaya at present
Junior Engineer, P.H.E.D., Silao, Block, P.S.- Silao, District - Naladna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Adv.

For the Opposite Party/s : Mr. Umesha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2020 Heard Mr. Rajkumar Rajesh, learned counsel for the
petitioner and Mr. Umesha Nand Pandit, Additional Public
Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with
Nalanda PS Case No. 164/2019 registered for the offence
punishable under Sections 420, 409, 188/34 of the Indian Penal
Code.

3. The allegation, as per First Information Report
having been lodged by Panchayat Secretary, Gram Panchayat,
Surajpur, is that the irregularity has been committed in
execution of *Nali-Gali* Scheme under *Seven Nishcay Scheme*
and the fund has been misused. Petitioner is a Junior Engineer in
PHED and he is responsible for the work.

4. Learned counsel for the petitioner submits that



petitioner has not committed any offence in the manner alleged and the work was to be executed by the Ward Member and Ward Secretary. Petitioner being the Junior Engineer was not responsible for the execution of work. Learned counsel further submits that the work has been done as per the estimate but the enquiry report has been prepared with a *mala fide* intention. Learned counsel next submits that Block Development Officer, Silao vide his Letter No. 64 dated 15.01.2020 addressed to District Panchay Raj Officer, Nalanda (Annexure-7) has stated therein that the work has properly been completed and there is no deficiency in the same.

5. Learned counsel for the petitioner referring to Annexure-9, submits that Ward Member who was responsible for the execution of work, has been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 12591/2020.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the Ward Member has been granted anticipatory bail by a Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, petitioner, MANOJ KUMAR @ MANOJ KUMAR VERMA shall be released on anticipatory



bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Nalanda PS Case 164/2019, subject to the conditions as laid down under Section 438(2) CrPC.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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