

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73141 of 2019**

Arising Out of PS. Case No.-147 Year-2017 Thana- CHANDAUTI District- Gaya

Vijay Kumar Singh, aged about 55 years, Male, Son of Late Ram Naresh Singh, Resident of Village - Baniya Baraun, P.S.- Sherghati, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 05-03-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Chandauti P.S. Case No. 147 of 2017 registered for the offences punishable under Sections 420, 406/34 of the Indian Penal Code.

The informant submitted a written report before the S.H.O. Chandauti P.S. through letter no.1327 dated 18.09.2017 alleging therein that the F.I.R. named Panchayat Sachivs and Vikas Mitra were appointed agent and given advance amount for carried out different schemes under Pradhanmantri Adarsh Gram Yojna in financial year 2012-13 but despite laps of several financial years and reminder, no works have done against the advanced amount which is misuse of the Government fund as



such recommended for institution of F.I.R. against the petitioner.

Learned counsel for the petitioner submits that the petitioner is quite innocent, has committed no offence and all the allegations levelled against the petitioner is false and fabricated. Learned counsel for the petitioner further submits that neither the petitioner has misused nor misappropriated the Government money rather reality is that the petitioner who was Panchayat Sachiv at Town Block, Gaya at the relevant period had entrusted to do the construction work for which given advance money of Rs.1,72,500/ against which the petitioner purchased the entire raw materials i.e. Bricks, Sand, Cement, Iron Rod etc. and brought those materials at the site, thereafter done the work of Rs.77,566/- but in the meantime, the petitioner was suspended from his service and could be released from suspension on 11.12.2014 then he was posted at Town Block, Gaya under the direction of the District Magistrate, Gaya. Thereafter, the petitioner was going to start the left out work of construction but the Block Development Officer directed to join the petitioner at another Gram Panchayat upon which the petitioner requested him to be posted at Town Block, Gaya so he may complete the left out work if the authorities allowed to do so as such the petitioner had no any intention either to not



complete the work or to misappropriate the Government money.
Petitioner is still ready to complete the left over work or
petitioner is ready to deposit the rest amount. In this fact, the
authority to pass the appropriate order.

In the facts and circumstances of the case, let the
above named petitioner be released on bail, in the event of arrest
or surrender before the learned Court below within a period of
six weeks from today, on furnishing bail bond of Rs. 20,000/-
(twenty thousand) with two sureties of the like amount each to
the satisfaction of Chief Judicial Magistrate, Gaya in connection
with Chandauti P.S. Case No. 147 of 2017, subject to the
condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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