

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5085 of 2020

Arising Out of PS. Case No.-49 Year-2019 Thana- HARPUR District- Munger

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Mahamaya Prasad Son of Deonath Prasad Resident of Village- Ora Bagicha,
P.S.- Dharhara, District- Munger, Ex- Panchayat Secretary, Block-Tetiya
Bumber, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 25-11-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 420, 406, 419, 420, 467, 468, 471 of the

Indian Penal Code.



It is alleged against the petitioner that petitioner being the Panchayat Secretary has not handed over the charge to Keshauli, Banhara, Dhauri and Bangama Panchayat and embezzled the funds available under different schemes of the government.

It is submitted by learned counsel for the petitioner that petitioner has already handed over the charge, measurement books, vouchers and other documents to his successor Panchayat Secretaries which would be evident from Annexures- 2 to 5 of the petition and so far as embezzlement of public fund under different schemes is concerned, it has been submitted that the same has to be executed through Ward Implantation and Management Committee. The amount of the aforesaid schemes were transferred to the concerned Ward Implementation Committee through different cheques under the joint signature of the petitioner and the Mukhiya of the concerned Gram Panchayat. The petitioner has already completed the



work assigned to him against the amount taken by him for execution of work as would be evident from the measurement book which has been annexed as Annexure-7 of the supplementary affidavit.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Munger in connection with Harpur P.S. Case No. 49 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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