

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27208 of 2020

Arising Out of PS. Case No.-78 Year-2017 Thana- SALAIYA District- Aurangabad

Vijay Kumar S/o Late Hardev Singh Resident of Mohalla-Main Road Kandil,
P.S.-Raushanganj, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar through the Superintendent of Police Economic Offence
Unit, Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Vikramdeo Singh
Mr. Sudhir Kumar Sinha
For the Opposite Party/s : Mr. V.P. Singh, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7. 12-03-2021 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Special Case No. 43(C) of 2018, arising out of Salaiya (Aurangabad) P.S. Case No. 78 of 2017, registered for the offence under Sections 409, 420/34 of the Indian Penal Code and Section 13(2) r/w Section 13(i)(D) of the Prevention of Corruption Act.

This case has been instituted on the basis of written report of Block Development Officer, Madanpur (Aurangabad) alleging therein about misappropriation of huge amount of government money by Head Master of the school, the then Block Education Officer, the then District Welfare Officer and the then Branch Manager, Bihar Gramin Bank.



It is submitted on behalf of petitioner that petitioner is innocent and committed no offence and he has been falsely implicated in this case. Petitioner is not named in the FIR and his name has surfaced on the basis of statement of co-accused Pramod Kumar Chaudhary recorded under Section 164 of the Cr.P.C. It is further submitted that petitioner was posted as Scholarship Assistant in the office of District Welfare Office, Aurangabad and he has simply prepared the list of schools and submitted report, whereas specific allegation of misappropriation of government money is against co-accused Chandan Kumar Ranjan (Head Master of school), not against this petitioner.

However, learned senior counsel appearing on behalf of Economic Offence Unit has opposed the bail application and submitted that this petitioner was posted as Scholarship Assistant in the District Welfare Office and he has prepared the list of schools for scholarship and place before the District Welfare Officer and was also duty-bound to obtain utilization certificates from the school, but he did not obtain the same and thereby facilitated the defalcation of huge amount of government money.

Considering the nature of allegation and the material



available on record, I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, dismissed.

(Prabhat Kumar Singh, J.)

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