

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20451 of 2022

Arising Out of PS. Case No.-11 Year-2021 Thana- C.B.I CASE District- Bhagalpur

SANJEEV KUMAR Son of Late Shiv Shankar Singh Resident of Zero Mile,
P.S.- Zero Mile, District - Bhagalpur, Then posted as Programme Officer,
Block Sattar - Katiya, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar, Through Cabinet Vigilance, Patna. Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 20456 of 2022

Arising Out of PS. Case No.-11 Year-2021 Thana- C.B.I CASE District- Bhagalpur

LAKSHMAN KUMAR @ LAXMAN KUMAR S/O Late Gosai Yadav R/o
village- Baijnathpur, P.O. Baijnathpur, P.S.- Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar, through Cabinet Vigilance, Patna Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23690 of 2022

Arising Out of PS. Case No.-11 Year-2021 Thana- C.B.I CASE District- Bhagalpur

BIBHASH CHANDRA THAKUR Son of Late Surendra Narayan Thakur
Resident of village - Khera, P.S.- Udakishunganj, District - Madhepura, Then
posted as Block Burmatola Panchayat Technical Assistant, Saharsa.

... .. Petitioner/s

Versus

The State of Bihar, Through Cabinet Vigilance, Patna. Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23844 of 2022

Arising Out of PS. Case No.-11 Year-2021 Thana- C.B.I CASE District- Bhagalpur

MILTAN KUMAR MILTAN @ MILTAN KUMAR MILTAM S/o Laxman
Prasad Yadav R/o village- Musharnia, P.S.- Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus



The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 20451 of 2022)

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Arvind Kumar

(In CRIMINAL MISCELLANEOUS No. 20456 of 2022)

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Arvind Kumar

(In CRIMINAL MISCELLANEOUS No. 23690 of 2022)

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari

For the Opposite Party/s : Mr. Arvind Kumar

(In CRIMINAL MISCELLANEOUS No. 23844 of 2022)

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Vigilance P.S. Case No.11 of 2021, giving rise to Spl. Vigilance Case No.05 of 2021, registered for the offences punishable under Sections 465, 467, 468, 471, 409, 120(B) as well as Sections 13(2) and 13(1)(D) of the Prevention of Corruption Act.

Allegation against the petitioners is of committing embezzlement by making fake job cards and passbook in the schemes operated under MNREGA in Bhelwa Panchayat under Block Sattarkatiya of District Saharsa. It is alleged that fake withdrawals were made in the name of Government servant by opening job cards in their name. It is alleged that four beneficiaries were the Government servant in whose account



illegal amount was withdrawn.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail applications. It is submitted that during investigation, it was found that Rs.87,084/- has been wrongly transferred in the name of another person. It is submitted that so far allegation of preparing job cards even for Government servant is concerned, petitioners have no role to play and it appears that co-accused, Sanjeev Kumar Yadav, the then Programme Officer has taken photo and photo copy of the Aadhar Card of the Government servant for the work of filling of soil and after that they came to know that the job cards opened in their names is wrong as they were Government servant. Learned counsel for the petitioner further submits that according to the FIR, there is a loss of Government fund of Rs.87,084/- out of which Rs.46,728/- has been deposited by the accused persons and petitioners are ready to deposit the rest amount.

Learned counsel for the Vigilance vehemently opposed the prayer for bail and submits that there is an allegation of misappropriation of Government fund.



Petitioners are agreed to deposit Rs.3,00,000/- (Rupees Three Lakh) each in the Nazarat of the District Court.

Having regard to the facts and circumstances of the case, since the petitioners are ready to deposit the amount, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending/Successor Court in connection with Vigilance P.S. Case No.11 of 2021, giving rise to Spl. Vigilance Case No.05 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

However, bail bonds of the petitioners shall be accepted after showing the receipt of deposit of Rs.3,00,000/- (Rupees Three Lakh) each in the Nazarat of the Court below.

(Anjani Kumar Sharan, J)

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