

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26109 of 2022

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

=====

Pankaj Giri @ Pankaj Kumar Giri Son of Late Manikant Goswami Resident of village - Gauripur, P.S.- Singheshwar, District - Madhepura then posted as Block Programme Officer (Manrega) Satarktaiya, District - Saharsa.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr.Arvind Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-09-2022 Heard learned counsel for the parties.

The petitioner apprehends his 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 petitioner 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beneficiaries were the Government servant in whose account illegal amount was withdrawn.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 petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner has 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, petitioner has 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.42,480/- has been deposited by the accused persons and petitioner is ready to deposit the rest amount.

Learned counsel for the Vigilance vehemently opposed the prayer for bail and submits that there is allegation



of misappropriation of Government fund.

Petitioner is ready to deposit Rs.3,00,000/- (Rupees Three Lakh) in the Nazarat of the District Court.

Having regard to the facts and circumstances of the case, since the petitioner is ready to deposit the amount, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 bond of the petitioner shall be accepted after showing the receipt of deposit of Rs.3,00,000/- (Rupees Three Lakh) in the Nazarat of the learned Court below.

(Anjani Kumar Sharan, J)

Sanjay/-

U		T	
---	--	---	--

