

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42419 of 2022

Arising Out of PS. Case No.-517 Year-2020 Thana- SIKARPUR District- West Champaran

Dharmendra Yadav Son of Singasan Yadav Resident of Village - Mathia Ward no.13, P.O.- Rajpur (madan), P.s.- Shikarpur, Distt.- West Champaran.Bihar PIN-845455

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-11-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Shikarpur P.S. Case No. 517 of 2020 lodged under Sections 406, 409, 420/34 of the I.P.C.

As per the prosecution case, the petitioner alongwith the co-accused persons committed irregularity in execution and maintenance of record in connection with scheme under *Mukhyamantri Gramin Payjal Nischay Yojna* and *Mukhyamantri Gramin Gali Naali Pakkikaran Nischya Yojna* relating to ward no. 13 & 14 of *Gram Panchayat* Rajpur

Tumkadiya and Narkatiyaganj.

Learned counsel for the petitioner submits that he is the Ward Secretary and not the *Panchayat* Secretary. His scope of doing work is very limited. Counsel for petitioner further submits that *Panchayat* Secretary of the said *Panchayat* has been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 05.07.2022 passed in Cr. Misc. No. 60933 of 2021. Learned counsel submits that petitioner is in custody since 15.02.2022. Counsel submits that petitioner has made accused in 4 criminal cases in addition to the present one.

Learned counsel for the petitioner further submits that there is a demand issued from the petitioner to deposit Rs. 3,65,928/- vide letter no. 46 dated 25.09.2021 and he has deposited the said amount vide PNB slip no. dated 02.06.2022, 10.11.2022 and 12.09.2022.

Learned counsel for the State opposes the prayer for bail and submits that the allegation against the petitioner is to commit irregularity.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner but liberty is hereby granted to the petitioner that he shall file the said demand letter and the deposit slip before

the Trial Court and the Trial Court is directed to call the concerned official and if found this deposit has been made, then bail shall be granted to him imposing its own conditions so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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