

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56376 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- AGRER District- Rohtas

=====

LAXMAN PRASAD Son of Ram Preet Sah, Resident of Village -
Muradabad, P.S.- Sasaram (M), Distt.- Rohtas. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Dimpal Kumari
For the Opposite Party/s : Mr. Parmeshwar Mehta

=====

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

CAV ORDER

3 04-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

I have already heard the learned Senior Counsel for
the petitioner as well as the learned Additional Public
Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Agrer P.S. Case No. 31 of 2021 registered for offence
punishable under sections 406, 409 and 420 of the Indian Penal
Code.

The informant, who is Block Panchayat Raj Officer,
lodged First Information Report with allegation that the present
petitioner, who is Mukhiya and Member of Ward
Implementation and Management Committee was involved
amongst the other persons in committing irregularities of the



scheme of Gramin Peya Jal Nischay Yojana. The total estimated cost of that project was Rs.14,73,500/-, against which Rs.12,99,500/- were transferred to the account of Ward Implementation and Management Committee at one go.

The learned counsel for the petitioner has submitted that the work of the petitioner being a Mukhiya and Ex-officio Member of the Committee is to supervise the work done under the above scheme. He has submitted further that the Second Appellate Authority-cum-District Magistrate, Rohtas at Sasaram has wrongly found the present petitioner guilty of commission of irregularity amongst other co-accused persons. The learned counsel has also submitted that the petitioner has written letters Exhibits-6 and Exhibits-6B to the Secretary, Ward Implementation and Management Committee directing him to complete the work within time limit.

On the other hand, the learned Additional Public Prosecutor has opposed the prayer for bail and submitted that the petitioner being a Mukhiya was also sanctioning authority and he has sanctioned Rs.12,99,500/- in one go instead of issuing it in installments against the work done periodically.

The petitioner being the Mukhiya and also a member of Ward Implementation and Management Committee appears



to be responsible for completion of work. He was found guilty by Second Appellate Authority-cum-District Magistrate, Rohtas at Sasaram in an inquiry. The investigation is still going on.

Considering the facts and circumstances, the prayer for anticipatory bail of the petitioner is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Mahesh/-

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

