

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45882 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- GAUNAHA District- West Champaran

JAI PRAKASH PARIT S/O CHHATHU PARIT R/O Village- Dhumnagar
Ward No. 06, P.S- Narkatiyaganj, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-08-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Gaunaha Police Station Case No. 254 of 2022, dated 13.12.2022, disclosing offences punishable under Sections 406/409/420/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report lodged by the District Programme Officer, MANREGA, East Champaran, at Bettiah, is that the petitioner, with the help of other co-accused persons, transferred the amount meant for the job card holder of Pradhan Mantri Awas Yojana in the bank account of the non-beneficiaries of the Scheme and thus committed irregularities in the payment, to the tune of Rs. 35 to 40 lacs.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case inasmuch as the petitioner is the Computer Operator and he is not the authority to transfer the amount to the beneficiaries and it is the Programme Officer and the Accountant, who is the authority to transfer the said amount.
5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
6. From perusal of the impugned order, it transpires that the petitioner and others transferred the amount under the scheme to the resident of some other blocks and during the enquiry conducted by a team, headed by Ms. Subhasini Prasad, Senior Deputy Collector, the allegation has been found true.
7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Incharge Sessions Judge, West Champaran, at Bettiah, inasmuch as the case is under investigation, wherein the custodial interrogation of the petitioner may be necessary based upon the material collected by the police during course of



investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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