

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31911 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- SABAUR District- Bhagalpur

Binay Kumar S/o- Shashidhar Manjhi Vill- Basantpur P.S.- Lodipur Khurd,
Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Mandal, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 23-05-2024 Pursuant to the order dated 21.05.2024, petitioner has deposited Rs. 1,86,557/- on 22.05.2024 and Rs. 50,000/- on 23.05.2024, total Rs. 2,36,557/- in the concerned account of authority.

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

3. The petitioner apprehends his arrest in connection with Sabour (Goradih) P.S. Case No. 37 of 2024, instituted under Sections 409, 419, 420, 467, 468, 34 of the Indian Penal Code.

4. As per the prosecution case, some irregularities has been committed by the Panchayat Rojgar Sewak, Mukhiya of Gram Panchayat and Junior Engineer of Goradih Block (Petitioner) in the implementation of MNREGA Scheme No. 1



to 5.

5. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to ulterior motives. Petitioner is Ex-Junior Engineer of Goradih Block. There is no specific allegation against the petitioner and the allegation of irregularity is general in nature. It is further submitted that the DDC-cum-Additional District Program Coordinator, MNREGA Bhagalpur in his decision dated 28.12.2023 has found that Rs. 2,36,557/- is recoverable amount from the petitioner and petitioner has deposited Rs. 1,86,557/- on 22.05.2024 and Rs. 50,000/- on 23.05.2024, total Rs. 2,36,557/- in the concerned account of authority subject to outcome of the final result of the case. He further submits that petitioner has no criminal antecedent. He undertakes to co-operate in the investigation. Similarly situated co-accused, namely, Satyanjay Kumar Singh has been granted anticipatory bail by this Court vide order dated 22.05.2024 passed in Cr. Misc. No. 32026 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

7. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the



event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Sabour (Goradih) P.S. Case No. 37 of 2024, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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