

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41809 of 2024

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

Subodh Das Son of Bhikari Das, Resident of Village- Chainpur, Ps- Rajoun,
Dist- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-06-2024 Petitioner has deposited Rs.45,848/- on 27.06.2024 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 and 34 of the Indian Penal
Code.

4. As per the prosecution case, the informant who is
Programme Officer, Goradih in the light of letter No.168 dated
25.01.2024 with respect to MNREGA Scheme No.1 to 5
constituted an enquiry team and they have enquired into the
matter and found that there are irregularity committed by the
Panchayat Rojgar Sewak, Mukhiya of the Gram Panchayat and



the Junior Engineer of Goradih Block, thereafter in the light of letter No.14189 dated 20.12.2023 issued by the Economic Offence Unit, Bihar, Patna, the instant F.I.R. has been lodged.

5. Learned counsel for the petitioner submits that petitioner is the then Panchayat Rojgar Sewak of Gram Panchayat Murhan, Gouradih and he is innocent and has falsely been implicated in this case due to the local politics. He further submits that there is no specific allegation against the petitioner and the allegation of irregularity is general in nature. Learned counsel submits that the DDC-cum-Additional District Program Coordinator, MNREGA Bhagalpur after completing the enquiry has fixed responsibility of realization of amount of Rs.45,844/- from the petitioner and the petitioner has deposited the said amount in the concerned account of the authority on 27.06.2024 subject to outcome of the final result of the case. He further submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation. Learned counsel submits that similarly situated co-accused persons have been granted anticipatory bail by this Court vide orders dated 22.05.2024 & 23.05.2024 passed in Cr. Misc. No.32026 of 2024 & Cr. Misc. No.31911 of 2024 respectively.

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



anticipatory bail.

7. Considering the facts and circumstances of the case and submissions 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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur 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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