

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58375 of 2023

Arising Out of PS. Case No.-355 Year-2022 Thana- PALIGANJ District- Patna

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PRAVEEN RAKESH son of Late Kedar Nath Sharma Village- Parsurampur
Ps- Khiri More, Dist- Patna Presently Posted as Jan Secretary at Danapur and
working on Deputation at Bakhtiyarpur Block Ps- Bakhtiyarpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh
Mr. Rajeev Kumar
For the Opposite Party/s : Mr.Bharat Lal, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

CAV ORDER

8 05-08-2024 I have already heard the learned counsel for the

petitioner and learned APP for the State.

2. This is an application for anticipatory bail on
behalf of the petitioner for the offences alleged under Sections
420 and 409/34 of the Indian Penal Code, registered in
connection with Paliganj P.S.Case No.355 of 2022.

3. The present FIR was lodged on the instruction
of Deputy Development Commissioner, Patna, vide order No.
698 dated 26.06.2019. As per allegation, the then Block
Development Officer, *Jan Sewak* (petitioner) and other
employees of the Block, failed to clarify about the
disappearance of the cash book of Rs. 134.21 lakhs, as



mentioned in the audit report, part-II.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and he was posted as *Jan Sewak* at Paliganj Block and worked as *Nazir* in the *Nazarat* from 17.02.2009 to 20.10.2011 and thereafter he was transferred. The further submission is that there is no criminal history against him and the audit report is of the year 2015-16. He has also submitted that the petitioner sent letters, addressing the B.D.O. for handing over his charge, but still he was not allowed to hand over the charge.

5. On the other hand, the learned APP for the State has opposed the prayer for anticipatory bail. He submitted that the audit report also comprises the period, when the petitioner was posted as *Nazir* in that Block and he was the custodian of those papers. In the audit report, a ledger book of Rs. 134.21 lakhs is found missing which *prima facie* indicates that there is misappropriation of huge government money, and the involvement of the petitioner cannot be ruled out as he was the custodian of the ledger book.

6. In the audit report of the Accountant General, the ledger book of huge amount of Rs. 134.21 lakhs is missing and the petitioner being the *Nazir* was the custodian of the ledger



book and thus he cannot shrug off his answerability.

7. In my view, the petitioner does not deserve the privilege of anticipatory bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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