

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4528 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- SAHPUR District- Bhojpur

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Bharat Jee Ojha, S/O - Shri Pachkauri Ojha R/O Vill- Semariya, P.S.-
Shahpur, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Shahpur P.S. Case No. 466 of 2023 dated
08.10.2023 registered for the offences punishable u/ss 420, 467,
468, 471, 120B of the Indian Penal Code.

3. As per the prosecution case, as per the report of the
D.C.L.R. Jagdishpur, the names of the beneficiaries of the
Pradhan Mantri Awas Yojna of Gram Panchayat Bariswan and
Semariya who have been recommended their names were
deleted by Gram Sabha by showing wrong reasons. The meeting
of Gram Sabha is called by the Mukhia and the Panchayat
Secretary of Gram Panchayat and the proceedings of the said



meeting be recorded by the Panchayat Secretary in their register. For deleting the names of eligible beneficiaries on wrong facts, the F.I.R. was ordered to be instituted against the Mukhiya of Semaria and Bariswan and the then Panchayat Secretary and Awas Sahayak. It is further alleged that the petitioner is the Mukhiya of Semaria Gram Panchayat.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is the Mukhiya of Semariya Gram Panchayat. Learned counsel has further submitted that the Awas Sahayak, Tej Narayan Kumar is the government representative and responsible for uploading of list. Learned counsel has further submitted that on the basis of the complaint made by the petitioner, the inquiry was initiated against Awas Sahayak, Tej Narayan Kumar who was found guilty in the aforesaid inquiry and departmental inquiry was initiated against him. It is further submitted that the petitioner has not embezzled any government fund or done any financial irregularity and the petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently



opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Bhojpur at Ara in connection with Shahpur P.S. Case No. 466 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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