

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11259 of 2024

Arising Out of PS. Case No.-549 Year-2023 Thana- BIDUPUR District- Vaishali

Rahul Kumar Son of Upendra Prasad Chaurasia Resident of Purvi Panchsheel
Nagar Khagari Road, PS-Danapur, District-Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 24-09-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 406, 420/34 of the Indian Penal Code.

3. As per the prosecution case, without completing the work entrusted under the Mukhyamantri Saath Nishchay Yojana Antargat Gali-Nali Yojana, petitioner being Junior Engineer, entered final measurement in the book for Rs.14,80,476/- and thus he committed financial irregularity.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that when the petitioner came to know about the registration of said FIR he wrote letter dated 04.03.2023 to DDC, Vaishali wherein petitioner has categorically stated that he was not posted in Chaksikandar kalyanpur Panchayat during the relevant period. The petitioner further stated in his letter that first advance money against the alleged work was made on 30.12.2020 and on the said day he was not posted in ChaksikandarkalyanpurPanchayat. Thereafter,



DDC, Vaishali took cognizance of the letter dated 04.03.2023 and called for a report from District Panchayati Raj Officer, Vaishali through his letter no. 847 dated 25.03.2023. The District Panchayati Raj Officer, Vaishali has not submitted report to the DDC. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that there is specific allegation against the petitioner that he recommended for payment of Rs.14,80,476/- for the work which had not been done by the executing agency.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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