

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76437 of 2024

Arising Out of PS. Case No.-749 Year-2023 Thana- TEKARI District- Gaya

Chandra Shekhar Ram @ Chandrashekhar Ram, S/o Late Videshi Ram, R/o
vill- Silaunja, P.S- Belaganj, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 8045 of 2025

Arising Out of PS. Case No.-749 Year-2023 Thana- TEKARI District- Gaya

Ashok Prasad, Son of Ram Balak Prasad, Resident of Village- Babhandih,
PO- Imamganj, PS -Imamganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 76437 of 2024)

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

(In CRIMINAL MISCELLANEOUS No. 8045 of 2025)

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 19-05-2025 Heard the parties.

2. Considering the fact that both the matters are arising out of the same police station case and, as such, with the consent of the parties, both the applications are being heard together and disposed of by this common order.

3. The petitioners are apprehending their arrest in connection with Tekari P.S. Case No. 749 of 2023 registered for the offences punishable under Sections 409, 406/34 of the



Indian Penal Code.

4. In pursuant to the direction of the District Magistrate, Gaya, the present F.I.R. came to be lodged alleging therein that in the year 2016, under 14th Finance Scheme, various irregularities were found in several schemes under different Gram Panchayats of which the petitioners were Panchayat Secretaries. The records, scheme registers and measurement books with respect to the aforementioned schemes have not been submitted. The aforesaid facts have been enquired and informed by the Block Development Officer, Tekari to the District Magistrate, Gaya

5. Learned Advocate for the petitioners taking this Court through the F.I.R. contended that vague and ambiguous allegation has been levelled against the petitioners without disclosing the name of the schemes, which were executed by the petitioners and as to what are the records, which have not been handed over to the authorities; as also whether any loss caused to public exchequer.

6. It is the contention of the learned Advocate for the petitioners that the amount, which has been handed over to the petitioners under the 14th Finance Scheme, were duly utilized for the previous schemes, which were running under the different



Panchayats pursuant to the direction of the Block Development Officer as well as the concerned Mukhiya and no irregularities have ever been found. The allegation is of the year 2016 and the present F.I.R. came to be lodged in the year, 2023.

7. Learned Advocate for the petitioner in Cr. Misc. No. 8045 of 2025 also submits that the allegation levelled against the petitioner was also enquired at the level of the Additional Collector and the charges alleged against the petitioner stands disproved. There is no iota of material collected during the enquiry, which suggests the connivance of the petitioner in the irregularities.

8. It is lastly contended that be that as it may the petitioners are men of fair antecedent and the entire case is based upon documentary evidence. The petitioners undertake that they will fully cooperate in the investigation or in the proceeding of the court.

9. On the other hand, learned APP for the State opposes the bail applications and submits that on account of the misconduct of the petitioners, various irregularities were surfaced in different schemes and, as such, the petitioners do not deserve any indulgence of this Court.

10. Regard being had to the submissions made on



behalf of the parties and considering the delay in lodging of the F.I.R., coupled with the fact that the entire case is only based upon non-submission of the record and in one of the case enquiry was conducted and found the charges disproved, as also the fair antecedent of the petitioner no.1 and exoneration of the petitioner no.2 in the two departmental proceedings at the level of the Commissioner, Magadh Division, Gaya in Service Appeal, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya in connection with Tekari P.S. Case No. 749 of 2023, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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