

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 4608 of 2012**

Balram Prasad Sah @ Balram Kumar Petitioner
Versus
The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE D.N. UPADHYAY

For the Petitioner : Mrs. Sarita Gupta, Advocate
For the State : A.P.P.

05 /27.02.2013 Heard learned counsel for the parties.

The petitioner is accused in a case registered under Sections 406, 409, 467, 468 & 471/34 of the Indian Penal Code.

It reveals from the written report that under MNREGA scheme wells were likely to be dug in the village for which amount was allocated. It is alleged that panchayat sewak, mukhiya and other accused, including the petitioner, have misappropriated the amount by submitting wrong report against digging of the well.

It is submitted that panchayat sewak Dilip Kumar Roy @ Dilip Prasad Roy has been granted anticipatory bail by this Court vide A.B.A. No.2017 of 2012 dated 04.09.2012 on the ground that he shall deposit the amount within three weeks. He has deposited the amount with the concerned department and the petitioner is simply rozgar sewak and he has not received money against said scheme.

Learned counsel appearing for the State has opposed the prayer for bail.

Since co-accused Dilip Kumar Roy @ Dilip Prasad Roy has deposited the amount and has been granted anticipatory bail by this Court, above named petitioner is also directed to surrender before the Court below within a period of three weeks from today and on such surrender he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court of Sri K.G. Chopra, learned Judicial Magistrate 1st Class, Deoghar in connection with Sarwan P.S. Case No.95 of 2011 corresponding to G.R. Case No.986 of 2011.

(D. N. Upadhyay, J.)