

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10990 of 2017

Arising Out of PS.Case No. -195 Year- 2016 Thana -KURTHA District- JEHANABAD

SATENDRA KUMAR SINGH @ SATYENDRA KUMAR SINGH, Son of
Ram Swaroop Singh, Resident of Village- Motha, P.S.- Arwal, District-
Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.16638 of 2017

Arising Out of PS.Case No. -195 Year- 2016 Thana -KURTHA District- JEHANABAD

Ashok Kumar @ Ashok Kumar Singh, Junior Engineer, Water Resources
Department, Son of Sri Ganauri Mahto, Resident of Village- Khakhara, P.S.
Sheikhpura, District- Sheikhpura, present posted at Uttar Koyal, Nahar
Parmandal, Kurtha, District- Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.10990 of 2017)

For the Petitioner : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party : Mr. Abhay Kumar Roy, APP

(In Cr.Misc. No.16638 of 2017)

For the Petitioner : Mr. Paras Nath, Advocate

For the Opposite Party : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 05-07-2017 On behalf of petitioner Satendra Kumar @ Satyendra
Kumar Singh supplementary affidavit has been filed which is kept
on the record.

Both the Criminal Miscellaneous are of the same



occurrence and as such have been heard together and are being disposed of by passing this common order.

Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Kurtha P.S. Case No. 195 of 2016 for the offences punishable under sections 420, 467, 468, 471, 409 and 120 (B) of the I.P.C.

Allegedly, in six schemes of the Gram Panchayat, Pinjarawan, the Ex-Mukhiya Sanjay Kumar, the agent Raja Ram Sharma, the ex-panchayat secretary, the ex-panchayat secretary Satyendra Kumar Singh and the junior engineer Ashok Kumar Singh, Water Resources Department have defalcated the government money in conspiracy with each other and on the basis of letter no. 624/ Confidential dated 09.12.2016 of D.M. Arwal the FIR has been registered.

Submission is of false implication and that actually the petitioners have not misappropriated the amount entrusted to them for execution of the work in question rather the petitioner Satyendra Kumar Singh has completed all the work according to the estimate, the allegation of misappropriation of money is vague and general and is not specific against the petitioners, no



misappropriation was done by any one and only on the imaginary story the case has been lodged, the petitioner Ashok Kumar @ Ashok Kumar Singh was not involved in six schemes rather he has acted in three schemes only, he being the junior engineer has committed no offence, he has verified all the works and all the works were done according to the plan and estimate and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the investigating officer has visited different places of occurrence and found that no work was done. Petitioner Satyendra Kumar Singh was acting as agent and petitioner Ashok Kumar Singh helped him in giving wrong report.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Arwal.

(Jitendra Mohan Sharma, J)

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