

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20390 of 2021

Arising Out of PS. Case No.-36 Year-2020 Thana- HAYAGHAT District- Darbhanga

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1. Shankar Prasad Singh, aged about 48 years, male, Son of Late Lata Prasad Singh
 2. Sourav Kumar Singh @ Bittu Singh, aged about 33 years, male, Son of Sunil Kumar Singh
- Both are resident of Village- Ghosrama, P.S.- Hayaghat, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 15-04-2022 Heard the counsel for the parties.

Mr. Vinay Kumar Mishra, the learned Advocate for the petitioners seeks permission to withdraw the application with respect to petitioner No. 2, namely, Sourav Kumar Singh @ Bittu Singh as he has been arrested during the pendency of this bail application.

Permission is granted.



The application with respect to petitioner No. 2 is dismissed as having become infructuous.

The petitioner No. 1, namely, Shankar Prasad Singh, seeks bail in anticipation of his arrest in connection with Hayaghat P.S. Case No. 36 of 2020, dated 18.03.2020, instituted for the offences under Sections 420, 406, 409 and 34 of the Indian Penal Code.

The accusation in the F.I.R. is that an amount of Rs. 18,53,200/- was withdrawn by the Panchayat functionaries for execution of public utility work, but no work has been done up-till-now.

The petitioner No. 1 has not been named in the F.I.R. During the course of investigation, it came to light that he and another were associated with a company called Saroj Enterprises which had been granted the contract for completing the work.

The petitioner No. 1 denies to be associated with the company in question in any manner whatsoever.

It has been urged on his behalf that one Sunaina Devi and Devendra Ram against whom there is major thrust



of allegation have been granted anticipatory bail.

Considering this aspect of the matter, the petitioner No. 1, namely, Shankar Prasad Singh, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Hayaghat P.S. Case No. 36 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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