

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19126 of 2022

Arising Out of PS. Case No.-35 Year-2021 Thana- SASARAM NAGAR District- Rohtas

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Arun Kumar Singh, Son Of Shivdhari Singh Resident Of Village - Kopwa,
P.S.- Buxar, Distt.- Buxar , The Retired Junior Engineer, Nagar Parishad,
Sasaram, Distt.- Rohtas At Sasaram

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awnish Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 419,
420, 409, 467, 468 and 471 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and is a Junior Engineer
and the informant alleges that the government fund to the tune
of Rs.48,00,000/- was misappropriated by the Chief Counsellor,
the Town Executive Officer and the Junior Engineer in
connivance when execution of the work and by putting forged
signature of the informant on the measurement book.

The learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case. It is next submits that the payments were made after the signature of the informant was obtained on the measurement book and now, the informant is resiling and has instituted the present false case. It is also submitted that the work has been completed. It is next submitted that the case is still to be adjudicated and the petitioner is a government servant and thus, will not abscond. It is next submitted that whether the signature of the informant on the measurement book was forged or genuine that is the question which will require an adjudication by a Court of competent jurisdiction. It is next submitted that in the event, if petitioner's anticipatory bail is not considered merely on the ground that informant alleges that based on forged signature, the payments were made that would be a travesty of justice in the event, if it is found subsequently with the signature of the informant on the measurement book and other documents were genuine.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks from today, 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 Court below where the case is pending in connection with Sasaram Town P. S. Case No.35 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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