

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29582 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- SAKURABAD District- Jehanabad

SANJAY KUMAR GUPTA Son of Late Lakhan Sao Ward Member of Ward no.7 Seshamba Panchayat, Resident of Village - Shakurabad, P.O.- Shakurabad, P.S. - Shakurabad, Distt.- Jahanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 188 and
409 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that Rs.7,00,000/- was
sanctioned for Nali and Gali work for Ward No. 7 of Seshamba
Gram Panchayat, technical sanction was given but it was found
that at the site for which the technical sanction was granted, Nali
and Gali were constructed from before, hence, the work was



stopped by letter dated 25.07.2022 and accordingly it was directed to return the amount in the account of the Panchayat but the money was not returned and Nali and Gali were constructed and the money was siphoned off.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that initially a technical sanction was granted for doing the sanctioned work and then the work was done and the petitioner requested the authority for recording the same in the MB Book thereafter all the problems started and the reasons are obvious. It is further submitted that it absolutely does not stand to reason that if Nali and Gali were constructed from before then on what basis technical sanction was granted by the authority.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sakurabad P.S. Case No. 42 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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