

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21254 of 2023

Arising Out of PS. Case No.-200 Year-2022 Thana- BRAHMPUR District- Buxar

SIDHESHWAR PRASAD SHARMA Son of Late Ram Bachan Sharma
Resident of Village-Sikrahata Khurd, P.S.-Sikrahata District-Bhojpur, at
present posted as Junior Engineer, Block-Dawath, P.S.-Dawath, District-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Vide order dated, 24.06.2023, a Co-ordinate Bench of
this court directed the Superintendent of Police, Buxar to
supervise this case and submit his report particularly on the
point as to whether this petitioner has prepared the measurement
book and signed the same.

3. Complying the order dated 24.06.2023, the
Superintendent of Police submitted a report in which he has
stated that the petitioner had neither prepared nor signed the
alleged measurement book.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406



of the Indian Penal Code and later on, charge sheet has been submitted under Section 420, 406, 409/34 of the Indian Penal Code.

3. The FIR has been lodged against the FIR named accused persons including this petitioner for embezzlement of government money and for not completing the work, as the said amount was withdrawn and the same was not mentioned in measurement book also.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that from bare perusal of the report of Superintendent of Police, it is evident that petitioner has neither prepared nor signed the alleged measurement book. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the fact that the petitioner has not prepared the measurement book, let the petitioner above named, be



released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Brahampur P.S. Case No. 200 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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