

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23794 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- ARA NAGAR District- Bhojpur

SHASHI KUMAR MEHTA S/O SHRI GANGA SAGAR SINGH R/O Vill.-
Khetari Mohalla, P.S- Ara Nagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 409, 420,
467 and 471 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a contractor
and an inquiry was conducted by the District Magistrate,
Bhojpur regarding certain projects executed by Ara Municipal
Corporation in which it was found that petitioner and the Junior
Engineer had mentioned in the measurement book excess work
than the actual work done in the year 2020-2021 with respect to
certain schemes.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case and is a contractor, it is next submitted that Devendra Prasad Chaurasia, the Chief Engineer, was granted the privilege of anticipatory bail by order dated 20.12.2022 in Criminal Miscellaneous No. 55747 of 2022 and Prateek Ravidhar, Junior Engineer, was granted the privilege of anticipatory bail by order dated 06.02.2023 in Criminal Miscellaneous No. 60056 of 2022. Learned counsel for the petitioner, thus, submits that it is not the case of the prosecution that no work was done, but then allegation is of only recording the work in excess in the measurement book than the actual work done. It is also submitted that though in the last part of the F.I.R., it is alleged that perhaps the work was not done and payment was received, but then the said allegation is also not alleged with clarity when it is the case of the petitioner that he had completed the work.

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

6. 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 trial court 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 trial court where the case
is pending/successor court in connection with Ara Town P.S.
Case No. 180 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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