

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28423 of 2023

Arising Out of PS. Case No.-258 Year-2021 Thana- PIPRAHI District- Sheohar

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Ram Bharosh Singh, Son of Late Ram Lakhan Singh R/O Village- Haranahi,
P.S.- Sheohar, District- Sheohar Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate
For the Opposite Party : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner and Mr. Uma Shankar Prasad Singh, learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Piprahi P.S. Case No. 258 of 2021 registered for the offences punishable under Sections 406, 409, 420/34 of the Indian Penal Code. He has got no criminal antecedent.

3. Mr. Ajay Kumar Thakur, learned counsel for the petitioner submits that this petitioner was posted at Mohanpur during the period 2009 and 2016, thereafter he had handed over the charge but after some time, it was alleged that the petitioner had not handed over the charge completely and it is alleged that the scheme register, measurement book, master roll and the vouchers were not handed over by this petitioner. The



Accountant General team has found in course of Audit that a sum of Rs.43,62,500/- has been misappropriated by this petitioner.

4. Learned counsel submits that in the learned court below this petitioner has submitted that his salary is due from the month of May 2009 which would come to around Rs.45 lakhs and he is ready to give adjustment of the alleged amount from his due salary. On these grounds, prayer for pre-arrest bail has been made. It is submitted that the petitioner has handed over the certified photocopies of the register to the I.O. and filed the same with the list of documents in the court below.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner. It is submitted that the petitioner is a public servant who has allegedly misappropriated a sum of Rs.43,62,500/- which has been verified by the Accountant General and it has been found true. In the case diary also there are several materials which have been noticed by the learned Sessions Judge, Sheohar.

6. Having regard to the nature of the allegations, the fact that the petitioner being a public servant entrusted with the work of Government schemes has allegedly misappropriated a huge amount, this Court would not be inclined to grant privilege



of anticipatory bail to the petitioner.

7. The prayer for anticipatory bail of the petitioner is, thus, refused.

8. In case the petitioner surrenders and prays for regular bail within a period of four weeks from today in the learned court below, his prayer for regular bail shall be considered on its own merit without being prejudice by the order of this Court.

(Rajeev Ranjan Prasad, J)

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