

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51043 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

SHIV PUJAN SINGH S/O VANSHNARAYAN SINGH R/O VILLAGE-
DHUNRAHI, PS. SONHAN, DIST. KAIMUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Ramgarh P.S. Case No. 148 of 29023 dated 18.05.2023, instituted for the offence punishable under Sections 409 and 420 of the Indian Penal Code.

3. As per the allegation, the petitioner being Panchayat Sevak of Gram Panchayat Sahuka, installed 50 street lights under the scheme sponsored by the Government at the cost of Rs. 13,500/- each light while the market value of the said street light is Rs. 3,000/- per light and, thereby, by hatching up conspiracy misappropriated an amount of Rs. 5,25,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this



case. It is submitted that in terms of contract, the work was to be carried out by the contractor, however, in spite of his liability on the part of the contractor, the petitioner to get rid of the allegation made in the F.I.R. has already deposited the entire amount of Rs. 5,25,000/- in the A/c No. 738870100099228 dated 30.05.2023 of Gram Panchayat, Sahuka in the light of the order of the District Magistrate, Kaimur *vide* Memo No. 1382 dated 16.05.2023. The petitioner has brought on record the acknowledgment duly signed by the Block Panchayat Raj Officer (informant) as Annexure-4. Learned counsel for the petitioner further submits that co-accused Manoj Kumar Ram @ Manoj Kumar, who is the Mukhiya of the said Panchayat has also been granted bail by a co-ordinate Bench of this Court *vide* order dated 28.07.2023 passed in Criminal Miscellaneous No. 40162 of 2023. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Ramgrah P.S. Case No. 148 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Mohania, District-Kaimur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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