

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71622 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- SHAMBHUGANJ District- Banka

Santosh Kumar, Male, aged about 41 years, Son of Shri Ganesh Prasad Gupta,
Resident of village- Bharako, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chand Verma, Sr. Advocate Ms. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with Shambhuganj P.S. Case No. 153 of 2022 dated 16.06.2022 instituted for the offence punishable under Sections 406, 409, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. As per the prosecution case, according to the informant, the accused persons including the petitioner has made job cards pertaining to MANREGA Scheme and had opened fake accounts and illegally withdrawn the money of the beneficiaries.

4. Learned counsel for the petitioner submits that petitioner was a Panchayat Rojgar Sewak of the concerned



Panchayat during the period 06.01.2000 to 29.11.2013 and during that period one job card of Badal Tanti was prepared on his request which was issued on 04.04.2010. Learned counsel for the petitioner submits that the job card was issued to Badal Tanti which is genuine. The petitioner is a Government Servant and the entire case is based on the document and there is no requirement of custodial interrogation of the petitioner. Petitioner has no criminal antecedent.

5. Learned counsel for the petitioner further submits that similarly situated co-accused persons namely Kumar Ajit, Girish Kumar @ Girish Kumar Singh and Shanti Devi have been granted anticipatory bail by a co-ordinate Benches of this Court vide orders dated 20.07.2023, 19.05.2023 and 03.05.2023 in Cr. Misc. Nos. 15396 of 2023, 16255 of 2023 and 68675 of 2022, respectively.

6. Learned APP opposed the prayer for anticipatory bail.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner above named be released on 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 Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 153 of 2022, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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