

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66831 of 2022

Arising Out of PS. Case No.-707 Year-2021 Thana- SIWAN CITY District- Siwan

CHANDAN KUMAR GUPTA Son of Late Tunna Prasad Resident of Village-
Purani Bajaji, P.S.- Siwan Town, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under sections 467, 468, 471, 420, 409, 120(B)/34 of the Indian Penal Code.

The allegation against the petitioner is that he alongwith other co-accused persons is involved in embezzlement of amount of Rs.49,91,500/- and Rs.4 crore under scheme for widening five feet road south to the stretch of Tarwara Mor to Hospital Mor road and for purchasing land for dumping of garbage, respectively.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner is not named in the FIR, he has been made accused in the present case during the investigation. The petitioner was an employee on contract basis at Siwan Nagar Parishad and he worked on the post of clerk from the year 2012 to 2017 and thereafter he has not been retained in service. He submits that the LPC was issued as back as on 20.03.2017 but the revenue karamchari on 06.03.2020 i.e. after about three years in order to save his own skin made an allegation under the pressure of Subodh Kumar Nirala, Vijay Kumar Bharti, Vijay Kumar Srivastava, Anil Kumar Srivastava and Chandan Kumar Gupta. He further submits that several similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 17.11.2022 passed in Cr. Misc. No.20537 of 2022, vide order dated 21.12.2022 passed in Cr. Misc. No.24109 of 2022 and vide order dated 21.11.2022 passed in Cr. Misc. No.20968 of 2022. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event



of his/her 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 Nagar P.S. Case No.707 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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