

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75807 of 2023

Arising Out of PS. Case No.-81 Year-2021 Thana- AAYAR District- Bhojpur

Vinod Singh@Vinod Kumar S/O Late Hira Lal Ram Village- Munji, Ps.
Karakat, Dist. Rohtas The Then Junior Engineer, Garhani, Mnrega Presently
Posted At Shahpur, Block, Dist. Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-11-2023 Heard Mr. Chandra Mohan Singh, learned counsel for
the petitioner and Mr. Ram Sumiran Rai, learned APP for the
State.

2. The petitioner is apprehending his arrest
connection with Ayar P.S. Case No. 81 of 2021, F.I.R. dated
14.07.2021 registered for the offences punishable under Sections
406, 409, 420 and 34 of the Indian Penal Code.

3. As per the prosecution case, in short, is that under
Scheme No. 02/2017-18, Scheme No. 01/2018-19, Scheme No.
01/2017-18 and Scheme No. 01/2016-17 which was under 14th
and 5th Finance Commission, construction of Nali, work of PCC,
bricks soiling and other work of soiling were done at village
Hadiyabad, and in course of inquiry, irregularities were found in
all the four plans on account of which District Magistrate vide his



letter no. 261 dated 01.04.2021 directed to take legal action against the culprits and one of which is the petitioner namely Vinod Singh.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the petitioner is a Government servant and he is working as Junior Engineer on contractual basis under Government of Bihar in MNREGA in Shahpur Block, District-Bhojpur. He further submits that the police after investigation police submitted the final form in favour of the petitioner but the learned Court below differing the report of the police has taken cognizance vide order dated 01.02.2023 against the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VII, Ara (Bhojpur) in connection with Ayar P.S. Case No. 81



of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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