

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8448 of 2024

Arising Out of PS. Case No.-277 Year-2016 Thana- BARHARA District- Bhojpur

Satya Prakash Singh @ Satya Prakash Son of Devnandan Singh Resident of
Village- Abhaypura, P.S. Sandesh, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Srivastava

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 409,
420 and 120B of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and from perusal of
the allegation as alleged in the F.I.R., it would manifest that the
informant who is Headmaster of a school alleges that he was
called by the District Education Officer in connection with
construction of extra classroom in the school under Skill
Development Scheme of Government of India and when he
went to meet the District Education Officer, he was introduced
to the builder who was to construct the extra classroom and the



District Education Officer and District Programme Officer also made him aware that the money which would come in the bank account has to be given to the builder and the petitioner, further an amount of Rs. 40 lakhs and odd was deposited in the account of the informant out of which he paid Rs.19 lakhs and odd to the builder by a cheque and about Rs. 20 lakhs in cash to the petitioner, who is a B.R.P. i.e. Block Resource Person.

4. Learned counsel for the petitioner next submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that he gave an amount of Rs. 20 lakhs in cash to the petitioner, but then the FIR does not even remotely suggest that the said payment was made by cheque rather the informant alleges that the payment was made by cash, it is next submitted that it absolutely does not stand to reason that when an amount of Rs. 19 lakhs and odd was paid to the builder by cheque then why an amount of Rs. 20 lakhs was paid in cash to the petitioner. It is further submitted that FIR even does not remotely suggest that any receiving was taken from the petitioner in lieu of the amount so received by him which amply demonstrates that the informant for some ulterior reasons has instituted the present FIR when petitioner admittedly is a person with clean antecedent.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barahara P.S. Case No. 277 of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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