

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8412 of 2024

Arising Out of PS. Case No.-262 Year-2023 Thana- BHAGWANPUR District- Begusarai

Surenbra Kumar, S/o Sonelal Mahto, R/o Vill - Basahi, Ward No. 3, P.S. -
Bhagwanpur (Tiyay O.P.), Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Bhagwanpur (Tiyay O.P.) P.S. Case No. 262 of 2023, registered for the offences under Sections 409, 420/34 of the Indian Penal Code.

3. As per prosecution case, petitioner along with other co-accused committed financial irregularities and withdrew an amount of Rs. 10,90,300/- which was sanctioned for completing three Government schemes.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR, it is apparent that there is no supporting document to prove the complicity of the petitioner. Though



there is allegation that the Government works were not completed but there was no measurement book or accounting done by the auditors. Allegation against the petitioner, who is a Government servant, is completely false and concocted. The petitioner carries an unblemished record for his whole service period. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail. Learned APP submits that huge money has been defalcated by the petitioner and the co-accused. It is a case of embezzlement of Government fund.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation against the petitioner and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Begusarai/court concerned in connection with Bhagwanpur (Tiyay O.P.) P.S. Case No. 262 of 2023, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal
Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the
petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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