

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29463 of 2024

Arising Out of PS. Case No.-50 Year-2016 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Gopal Sharma Son of Late Pataldev Sharma R/o village - Chainpur, P.S.-
Chainpur, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sitaram Prasad Son of Late Multan Prasad Kharwar (Post Master Chainpur),
R/o village - Hatta, P.S.- Chainpur, District - Kaimur at Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 06-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bhabhua
Complaint Case No. 50 of 2016 registered for the offence
punishable under Sections 420, 409, 467, 468, 120(B) of the
Indian Penal Code, but cognizance has been taken under
Sections 420, 467, 468, 120(B) of the Indian Penal Code.

3. As per allegation, while the petitioner was assigned to
look after the work of MANREGA scheme in the post office, he,
having conspiracy with other co-accused persons,
misappropriated a sum of Rs. 32 lakh and when the matter came
to surface, the petitioner has claimed that he was never posted or



worked in the post office at Chainpur.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is totally false and based on concocted facts. He was never posted or worked in the post office at Chainpur. Prior to the present case, on 01.12.2015, the Post Inspector of Bhabua Sub-Division has lodged Chainpur P.S. Case No. 228 of 2015 against the complainant, namely, Sitaram Prasad for the same occurrence wherein it has been alleged that the Sitaram Prasad has misappropriated an amount of Rs. 32,00,000/- out of which he has deposited Rs. 8,48,358/- in the government treasury. The investigating police found the case true and submitted charge sheet No. 234 of 2016 on 20.09.2016 under Sections 409, 419, 420, 120(B) of the Indian Penal Code against the complainant of this case for the same alleged occurrence. Only with a view to save his skin, the complainant lodged this complaint case against the petitioner. It is further submitted that similarly situated co-accused have been granted anticipatory bail by this Court vide order dated 09.05.2023 in Cr. Misc. No. 7555 of



2023. Petitioner has no criminal antecedent and he is languishing in jail custody since 09.01.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as similarly situated co-accused have been granted anticipatory bail by this Court, the above named petitioner is directed to be enlarged on bail 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 Complaint Case No. 50 of 2016.

(Anjani Kumar Sharan, J)

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