

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37223 of 2024

Arising Out of PS. Case No.-42 Year-2020 Thana- MASHRAK District- Saran

Saurav Raj, Male, aged about 30 years, son of Late Vikarma Singh, resident of village- Gambhari, P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-06-2024 Heard Mr. Rudal Singh, learned counsel appearing on behalf of the petitioner and Mr. Parmeshwar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Mashrak P.S. Case No. 42 of 2020, registered for the offence punishable under Sections 420 and 406/34 of the Indian Penal Code.

3. Allegation against the petitioner is of misappropriating the public money, which was required to implement the '*Nal Jal Yojana*' in the notified village.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and have falsely been implicated in the present case. He further submitted that petitioner has completed the entire work as assigned to him,



however, he has not been able to bring on record Work Completion Certificate, which has been issued after verifying the Measurement Book. As the petitioner has already completed the work, there is no question of misappropriating the public money. On these grounds, he submits that petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the specific submission made on behalf of the petitioner that work has already been completed as assigned to him. However, the petitioner has admitted that he has not brought on record the Measurement Book or the Work Completion Certificate. The learned district court concerned is directed to call for the Measurement Book or allow the petitioner to produce the same within a specified time.

7. If it is found that petitioner has completed the entire work, then, in that case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the Court below within a period of four 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 learned Addl. Judicial Magistrate-VI,
Saran, Chapra, in connection with Mashrak P.S. Case No. 42 of
2020, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

8. Accordingly, the present bail application is
disposed of.

(Purnendu Singh, J)

Niraj/-

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