

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42937 of 2024**

Arising Out of PS. Case No.-13 Year-2024 Thana- SACHIVALAYA District- Patna

Santosh Prasad Sinha S/o Suryanarayan Maura R/o Arai, P.S. - Daudnagar,
Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramjiban Prasad
For the Opposite Party/s : Mr. Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 22-11-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Sachivalaya P.S. Case No. 13 of 2024 instituted for the offences
punishable under Sections 467, 468, 471, 419 and 420 of the
Indian Penal Code.

3. As per the allegation in the FIR, the accused
persons created a forged website of Aayushman Bharat Scheme
and providing service and used to allure innocent job seeker and
gave forged appointment letters to the innocent persons. It



appears that the Bihar Health Protection Committee used to implement Aayush Bharat Scheme in the whole State and the National Health Commission, New Delhi also used to implement P.M. Aayush Bharat Yojna in the whole country. On 10.01.2024, two persons namely Rishi Raj and Shashi Shekhar Sharma appeared in the office with the letter head of National Health Commission for giving their joining at the post of Lower Division Clerk. However, it is made clear that neither any vacancy was every declared by the State Health Committee nor any agency has been hired for such purpose and all these things appears to be false and fabricated.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case only on the basis of suspicion, where, petitioner is not named in the FIR. He further submits that the name of the petitioner surfaced only on the basis of confessional statement of co-accused person, namely, Raviranjn Kumar and name of the petitioner also surfaced from statement as recorded under Section 161 of other co-accused persons, namely, Nandu Kumar and Alok, where, they have stated therein about the invovlement of the petitioner. He submits that petitioner has not concerned with the co-accused



Raviranjana Kumar Sinha and he is not a member of the gang, where, he was only a passerby and in the way he was arrested and made accused in the present case. He submits that petitioner is in custody since 22.02.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. From perusal of the FIR, case diary, and also perused the impugned order dated 24.04.2024 passed by the learned Additional Sessions Judge-XII, Patna, it appears that during investigation the petitioner was found to have created a forged website of Aayushman Bharat Scheme and in the name of providing service he used to allure innocent job seeker and gave forged appointment letters to him. From perusal of the case diary in para 29, the co-accused Raviranjana Kumar has confessed his guilt and the involvement of the petitioner in the present case which is serious in nature. It appears from perusal of statement of Nandu Kumar as recorded under Section 161 of Cr.P.C. he stated therein that when he came at Patna office for joining, his presence was marked by Mr. Santosh Prasad Sinha and when Nandu Kumar asked to Mr. Santosh Prasad Sinha he replied that he is a clerk there.

7. Considering the facts and circumstances of the



case, nature and gravity of offence, I am not inclined to grant bail to the petitioner.

8. Prayer for regular bail of the petitioner is hereby rejected.

9. However, the petitioner may renew his prayer for bail after completion of one year of custody.

(Ramesh Chand Malviya, J)

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