

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64922 of 2023

Arising Out of PS. Case No.-1124 Year-2008 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Sanjeet Kumar Singh @ Panna Singh, Son Of Balanand Singh, Resident Of
Ward No.3 Sahsaal Ps- Basnahi, Dist- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Lattu Sada S/O Late Rabbi Sada Resident Of Devghar Sahsaal P S Basnahi,
Dist- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh

For the Opposite Party/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 420, 406, 323, 379, 384 and 504 of the Indian Penal
Code and Sections 3(i) and 10 of the SC/ST (P.O.A.) Act, but
cognizance has been taken under Sections 417, 323, 379 and
504 of the I.P.C.

3. The learned counsel for the petitioner submits that
a learned Coordinate Bench by an order dated 31.10.2023 has
issued notice on the opposite party no.2 and from perusal of the
office report dated 06.03.2024, it would manifest that the same



records that opposite party no.2 has already died.

4. It is further submitted that petitioner is innocent and has been falsely implicated in the present case. It is next submitted that the complainant instituted the complaint case with an allegation that an amount of Rs.20,000/- was sanctioned in the Year 2001 for constructing his house under Indira Awas, out of which, an amount of Rs.10,000/- was disbursed and the petitioner took the said amount from the complainant on the pretext of getting the house constructed, but thereafter, the construction did not start and when the complainant confronted the petitioner, he was abused and assaulted.

5. The learned counsel for the petitioner submits that the amount of Rs.10,000/- was disbursed in favour of the complainant on 03.04.2002 and the complainant himself had given the amount to the petitioner for getting the house constructed. It is next submitted that the construction work started, but then, the rest of Rs.10,000/- was never disbursed in favour of the petitioner, as such, the work could not be completed. It is also submitted that the present complaint case came to be instituted in the Year 2008. It is thus submitted that if what has been alleged by the complainant is true that the petitioner defalcated his money, in that event, he would have



instituted the case instantly, but then, the present complaint case came to be instituted after six years of the occurrence.

6. Learned A.P.P. opposes the bail application.

7. 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Mr. A. Khan, the learned Judicial Magistrate, 1st Class, Saharsa in connection with Complaint Case No.1124(C) of 2008, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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