

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79403 of 2023

Arising Out of PS. Case No.-597 Year-2022 Thana- GAURICHAK District- Patna

Santu Ram Son of Sri Ram Narayan R/o vill - Baldari Tola, Sarfabad, P.S -
Gaurichak, Distt. - Patna, Pin 803201

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Renu Jha, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 19-07-2024

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Gaurichak P.S. Case No. 597/ 2022 dated 05.09.2022 registered for the offence(s) punishable under Section(s) 409 and 420 of the Indian Penal Code.

3. Mrs. Renu Jha, learned counsel for the petitioner submits that the petitioner was the then Ward Member-cum-President of Ward No. 10 and he did not play any role in withdrawing any part of the sanctioned money with regard to the sanctioned Government work and he simply performed the duty of physical inspection with regard to the said construction work and he did the said duty under the supervision and guidance of Mukhiya. It is further submitted that several other co-accused persons carrying similar nature of allegation have been granted anticipatory bail by this Bench and co-ordinate Benches of this court vide orders passed in Cr. Misc. No. 57577 of 2023, 21433/ 2023, 33383/ 2023 and in Cr. Misc. No. 15819/ 2023 respectively and the petitioner has got no criminal



antecedent. It is further submitted that alleged offences under section(s) 409 and 420 of the IPC do not attract against this petitioner.

4. Mr. Umanath Mishra, learned APP appearing for the State opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly taking into account the petitioner’s plea as to his no role in withdrawing the alleged sanctioned amount from the bank and also the privilege of anticipatory bail granted to several other co-accused persons by this Bench and co-ordinate Benches, this court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Gaurichak P.S. Case No. 597/2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

Siddharthkr/-
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