

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80636 of 2024

Arising Out of PS. Case No.-666 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Shambhu Ray Son of Late Ramjanam Ray, Resident of Village- Sakhara, P.S-
Rajpur, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sarita Devi Wife of Arun Kumar Pandey, Resident of Vill- Nachniya
(Kahipuri), P.S.- Rajpur, District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehend his arrest in connection
with Complaint Case No.666 of 2022 instituted under Sections
406/34 of the Indian Penal Code.

3. As per the prosecution case, the complainant who is
ward member of Magarwalia Panchayat alleged that the
petitioner in collusion with co-accused Satyendra Prasad Gupta
have grabbed the government money in the scheme of Nal-Jal
Yojna which was given by the complainant in three cheques
amounting to Rs.10,07,500/- to the co-accused Satyendra Prasad
Gupta on the faith of petitioner.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that the only allegation against the petitioner is that on the advice of petitioner, the informant and Panchayat Secretary of the concerned village gave cheque to the co-accused Satyendra Prasad Gupta who is owner of Anjali Pipe Centre. Learned counsel submits that petitioner has no concern with the co-accused Satyendra Prasad Gupta and he has also no concern with maintaining and operating the account of panchayat. Previously he was the Mukhiya of the village and due to village politics he has been implicated in this case. He further submits that complainant to save herself of the charges of defalcation of the government money, implicated the petitioner. Petitioner has two criminal antecedents, in which he is on bail. Petitioner undertakes to cooperate in the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount to each to the satisfaction of the learned J.M. 1st Class, Bikramganj, Rohtas in connection with Complaint Case No.666 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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