

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30960 of 2025

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

Santosh Prasad Sinha @ Santosh Prasad aged about 49 years, S/O Suryanarayan Maura @ Suryanarayan Mauar R/o- Arai, P.S.-Daudnagar, Distt- Aurangabad
... .. Petitioner

Versus

The State of Bihar
... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 33430 of 2025

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

Navneet Bihari, aged about 44 years, S/O Sri Ram Sunder Prasad Resident of Village-Parmanandpur, P.S-Karisarai, District-Nalanda
... .. Petitioner

Versus

The State of Bihar
... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30960 of 2025)

For the Petitioner : Mr. Ram Jiban Pd Singh, Advocate

For the Opposite Party : Mr. Shyameshwar Dayal, APP

(In CRIMINAL MISCELLANEOUS No. 33430 of 2025)

For the Petitioner : Mr. Brajesh Prasad Gupta, Advocate

For the Opposite Party : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 20-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody in a case registered
for the offences punishable under Sections 467, 468, 471, 419,
420 of the IPC.

3. This is the third attempt for regular bail of the
petitioners. Earlier the prayer for regular bail of the petitioners,
namely, Navneet Bihari and Santosh Prasad Sinha was rejected
by this Court passed in Cr. Misc. No. 37813 of 2024 and 42937
of 2024 vide order dated 01.08.2024 and 22.11.2024 and second
time the prayer for bail of both the petitioners was dismissed as



withdrawn.

4. As per the allegation in the FIR, the accused persons created a forged website of Aayushman Bharat Scheme and were providing service and giving forged appointment letters to the innocent persons. It appears that the Bihar Health Protection Committee used to implement Aayushman Bharat Pradhan Mantri Jan Aarogya Yojana in the whole State and the National Health Commission, New Delhi also used to implement Pradhan Mantri Aayushman 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 ever 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. It is further alleged that on search one mobile of Redmi company and a register of Milan Company was recovered from the possession of the petitioner, namely, Santosh Prasad Sinha.

5. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He further submits that both the petitioners are not named in the FIR,



however, name of the petitioners figured on the basis of confessional statement of co-accused person, namely, Ravi Ranjan Kumar Sinha. He next submits that similarly situated co-accused, namely, Ravi Ranjan Kumar Sinha has granted bail by a co-ordinate Bench of this Court vide order dated 18.09.2024 passed in Cr. Misc. No. 41088 of 2024. He next submits that the charge of this case has not been framed till today and from perusal of the Letter no. 33/36 dated 17.05.2025 and 04.06.2025 by the learned Judicial Magistrate, Ist Class-VIII-cum-AM, Patna, it appears that there is no mention in the above letter with regard to framing of the charge of both the petitioners. He next submits that earlier the prayer for bail of both the petitioners was rejected by this Court passed in Cr. Misc. No. 37813 of 2024 dated 01.08.2024 and Cr. Misc. No. 42937 of 2024 dated 22.11.2024 with an observation that both the petitioners may renew their prayer for bail after completion of one year of custody and both the petitioners are in custody since 22.02.2024 and petitioner, namely, Navneet Bihari has got clean antecedent as stated in para-3 of the bail petition.

6. However, learned APP for the State opposes the prayer for regular bail of both the petitioners.

7. On perusal of the Report of the Trial Court dated



17.05.2025 and 04.06.2025 through Letter nos. 33/36, it appears that there is no mention in the above letter regarding framing of the charge of both the petitioners and it also appears that no steps have been taken by the learned Trial Court regarding the progress of the trial and five months time have been prayed by the Trial Court in its report for disposal of this case and it also appears that the Presiding Officer has suppressed the fact regarding framing of charge, i.e., whether the charges have been framed or not against both the petitioners.

8. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioners as well as the fact that petitioners were directed to renew their prayer for bail after completion of one year of custody and now the fact that petitioners have already completed one year in custody. So, I am inclined to grant bail to both the above named petitioners.

9. Let the above named petitioners be released on bail on their furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Learned Judicial Magistrate-1st Class, Patna in connection with Sachivalaya P.S. Case No.13 of 2024.

10. Let a show-cause report be called from the



concerned Presiding Officer that as to why the concerned Presiding Officer has not disclosed whether the charges have been framed against the petitioners or not in the said Letter No. 33/36 dated 17.05.2025 and 04.06.2025 and she has also to mention the fact that if the charges were already framed till that date of sending her letters then she has to disclose the fact that why she has suppressed this fact and she has to submit in her report mentioning all the aforesaid facts briefly within a period of four weeks from the date of receipt/production of a copy of this order.

11. Office is directed to list this case on 28.07.2025.

(Ramesh Chand Malviya, J)

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