

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40840 of 2025

Arising Out of PS. Case No.-35 Year-2020 Thana- MEHSI District- East Champaran

Sunil Kumar @ Sunil Kumar Singh Son of Ram Vilash Singh Resident Of
Village -Jasauli Patti, Ps- Turkauliya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar , Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 409 and 34 of the Indian Penal Code .

3 . As per prosecution case , petitioner being a “*JAN Sewak*” took advance money of Rs. 47,4000,00 (forty seven thousand four hundred) of old age pension and Rs. 15,000/- (fifteen thousand rupees) of government schemes and after receiving the aforesaid amount, petitioner neither completed the work assigned to him nor returned the money and as such , he embezzled the government money . It is further alleged that petitioner never submitted details of expenditure nor adjusted the amount.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner has falsely been implicated in this case . It is further submitted that after coming to know about the instant case , petitioner approached the concerned authority and deposited the amount of Rs. 47,4000,00 (forty seven thousand four hundred) of old age pension and Rs. 15,000/- (fifteen thousand rupees) of government scheme and took clearance letter vide letter No. 58 dated 04.02.2025 issued under the signature of Block Development Officer, Mehshi East Champaran i. e ., Annexure – 2 to this petition . It is further submitted that similarly situated co-accused, namely *Ajit Kumar Singh*, has already been granted the privilege of anticipatory bail vide order dated 09.05.2023 passed in Cr. Misc. No. 28745 of 2021.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R..

6. Considering the fact that petitioner has already refunded the aforesaid alleged amount and other circumstances of the case , nature of accusation and claim based on parity , the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today , let the above named



petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari, in connection with Mehsi P.S. Case No. 35 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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