

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41547 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- SABAUR District- Bhagalpur

Santosh Kumar, S/o Shambhu Prasad Yadav, Village- Rambag Professor Colony, PS- Sadar, District- Purnea Presently R/o Panchayat Rojgar Sewak, Panchayat Murhan, Gouradih, PS- Gouradih, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Sabour (Gouradih) P.S. Case No. 37 of 2024 dated 28.01.2024 instituted for the offence punishable under Sections 419, 420, 467, 468/34 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the informant who is Programme Officer, Goradih, in the light of the Letter No. 168 dated 25.01.2024 with respect to MNREGA Scheme No. 1 to 5, constituted an enquiry team and they have enquired into the matter and found that there are irregularities committed by the Panchayat Rojgar Sewak, Mukhiya of the Gram Panchayat and the Junior Engineer of Goradih Block. Thereafter, in the light of letter no. 14189 dated 20.12.2023 issued by the



Economic Offence Unit, Bihar, Patna, the instant F.I.R. has been lodged.

4. At the very outset, learned counsel for the petitioner submits that the DDC cum Additional District Programme Office has found in his enquiry that Rs. 1,90,731/- is recoverable from the petitioner and thus the petitioner is ready to deposit the amount of Rs. 1,90,713/- without being prejudiced to his defence with the concerned authority.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that several accused persons have been granted anticipatory bail *vide* annexure-2 series passed by co-ordinate Bench of this Court on the same terms and conditions. Lastly, it has been submitted that petitioner has no criminal antecedents.

6. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sabour(Gouradih) P.S. Case No. 37 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned J.M. 1st Class, subject to condition as laid down under Section 482(2) of the B.N.S.S.

8. The petitioner shall deposit the amount of Rs. 1,90,731/- before the concerned authority before furnishing the bail bond and a certificate regarding deposit of the amount in question shall be produced before the court below at the time of surrender of the petitioner.

9. Learned court below is directed to accept the bail bond of the petitioner only after production of valid certificate regarding deposit of the amount in question.

(Khatim Reza, J)

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