

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49472 of 2025

Arising Out of PS. Case No.-34 Year-2022 Thana- VIGILANCE District- Patna

Sunil Kumar Singh@Sunil Singh S/o Late Parmeshwari Singh R/o
ward no. 30, Bihar, Distt.- Begusarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anirvan Choudhuri , Advocate Mr. Shashwat Pratyush, Advocate
For the Opposite Party/s :	Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 406, 409, 420, 467, 468 ,
of the Indian Penal Code .

3 . As per the prosecution case , petitioner is one of
the partner of M/S S.S. Construction and he along with other co-
accused persons in connivance with other accused persons
embezzled the money amounting to Rs. 1,75,00,612/- of the
Agreement No. 3F2/2005-06 in respect of West Koshi project. It
is further alleged that altogether 221 items were to be
constructed in respect to the aforesaid agreement in the year



2005 – 06 and 2006-07 but only 132 construction were found available . It is further alleged that 221 construction were made to the tune of Rs. 11,32,14,276/- to the contractor. The aforesaid agreement was agreed in favour of S.S Construction 5 per cent of the above sanctioned rate and the same has been informed by engineer vide its letter dated 23.12.2021 . It is further alleged that 89 items were not constructed and the details and photographs of the same was taken by the inspection team and accordingly, instant F.I.R was lodged.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only with ulterior motive . Petitioner is one of the silent partner of M/S S.S. Construction Balbhadrapur, Laheria Sarai, Darbhanga who entered into an agreement with executive engineer, WKC Division Keoti , Darbhanga vide Agreement No. 3F2 of 2005 -06 dated 07.01.2006, Water Resources Department and earth work . It is further submitted that as per agreement, estimated cost of work was Rs. 10,12,76801/- and date of completion of work was 31.03.2007 for which work order was issued on 07.01.2006 and total number of items of work tendered for 47 only . The entire work under contract was executed by firm of the petitioner, namely M/S S.S Construction



with sincerity and for the same , completion certificate was issued on 30.04.2006 by Executive Engineer Western Koshi Canal Division Keoti, Darbhanga .

5 . It is further submitted that after lapse of 15 years, an enquiry was set up for spot verification and some construction was not found on spot and accordingly , report was submitted which was not being part of F.I.R. which was only on the basis of presumption . It is further submitted that the agreement was executed approximately 20 years back and the completion certificate was also issued in the year 2006 and there is no material or any document is available to the petitioner regarding the same , as company law permits to keep record only for 8 years.

6. Moreover, this petitioner has been made accused in this case after lapse of more than 15 years and there is no specific allegation against him and also no role was attributed to to him to invoke Prevention of Corruption Act against him.

7. Learned counsel for the State opposes the bail petition of the petitioner.

8. Considering the aforesaid facts, materials available on record, delay in lodging the F.I.R. and circumstances of the case , in the event of arrest or surrender within eight weeks from



today, let the petitioner, as named above, 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 the learned Special Vigilance Judge, Muzaffarpur in connection with Vigilance Patna P.S. case No. 34 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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