

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61547 of 2025

Arising Out of PS. Case No.-164 Year-2016 Thana- PARSABAZAR District- Patna

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Sarju Prasad S/o Late Prahalad Prasad R/o Village and Post- Neura, P.S.-
Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 208-10-20251. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 420 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases and the informant alleges that despite repeated directions, Secretary of Employment Unit failed to submit folders and merit list of



employment related records of contract teachers which was causing hurdles in vigilance verification.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that if what has been alleged is correct, in that event the authorities ought to have proceeded departmentally against the petitioner instead of resorting to a criminal proceeding. It is also submitted that no doubt the FIR was instituted in 2016, but then police never made any efforts to arrest the petitioner. It is further submitted that no doubt petitioner has antecedent of three cases, but then all the cases are of similar nature. It is next submitted that a specific plea has been made at Para-5 of the anticipatory bail application that the document in question which was to be submitted was never entrusted to the petitioner and the required documents as indicated in the FIR are documents of the period prior to joining of the petitioner as *Panchayat* Secretary of the said *Panchayat*. It is asserted and submitted that till date no process under Sections 82 and 83 Cr.P.C. has been issued against the petitioner. It is also submitted that petitioner has retired and is a senior citizen aged about 68 years and he will



not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that police in these nine years never made any endeavours to arrest the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Parsa Bazar P.S. Case No. 164 of 2016 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at



liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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