

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 89459 of 2024

Arising Out of PS. Case No.-6 Year-2019 Thana- DHIBRA District- Aurangabad

Deepak Kumar S/o Tribhuwan Singh R/o Village- Khardiha, P.S.- Deo,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Dhibra PS Case No. 6 of 2019 dated 06-06-2019, instituted
under Sections 406, 409 and 420/34 of the Indian Penal Code.

3. There is an allegation in the F.I.R., lodged on the
basis of a written report of the Block Development Officer, at
the instance of the District Magistrate, Aurangabad, that some of
the agencies received huge amounts of money for completing
work under the 'Har Ghar Jal Yojana' and misappropriated the
funds without completing the said work. Petitioner is the
proprietor of the agency namely, Mahakal Construction.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. It is further submitted that the work in question has already been completed, which fact has been specifically mentioned in paragraph 13 of the bail application. Learned counsel further submits that a co-accused has already been granted anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 29.03.2022 passed in Cr. Misc. No. 82387 of 2019, wherein it was recorded that the work had been completed and that the petitioner had also filed an application before the authority for issuance of a work completion certificate. It is submitted that the instant FIR has been lodged against 26 accused persons, including the petitioner, and that several similarly situated co-accused persons have already been granted anticipatory bail, as evident from the Annexure-3 series. Lastly, it has been submitted that one criminal case is pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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



ACJM- II, Aurangabad, in Dhibra PS Case No. 6 of 2019, GR
No. 1003 of 2019 subject to the conditions laid down in Section
438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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