

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24735 of 2026

Arising Out of PS. Case No.-644 Year-2025 Thana- GARKHA District- Saran

Sanjiv Kumar S/o Ram Narayan Singh R/o Village - Arai, P.S. - Shahjahapur,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujit Kumar, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 17-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Garkha P.S. Case No. 644 of 2025 dated 25.08.2025 registered for the offence punishable under Section/s 316(5), 316(2), 318(4), 338, 336(2) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the allegation against the petitioner is that he has not handed over charge of 47 original registers relating to MANREGA Scheme to his successor and on explanation for the same, he has submitted fake and fraudulent registers.

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



instant case. It is next submitted that the records which are said to have been kept by this petitioner have already been returned, which fact has surfaced during course of investigation and it is next submitted that for the same and similar allegation, a disciplinary action was also taken against the petitioner and the petitioner's service has been terminated though there is a violation of principle of natural justice while issuing the order of termination. It is the case of the petitioner that for same and similar allegation, the petitioner's service has already been terminated and is presently not working in the said establishment and there is no question of tampering with the evidences. Lastly, it is submitted that the petitioner has one antecedent in which he is on bail.

5. Mr. Bharat Lal, learned APP for the State, opposes the prayer for grant of anticipatory bail and submits that though from the case diary, it appears that the records were returned by the petitioner but, during course of supervision made by the Superintendent of Police, the same has been found to be fake.

6. However, upon a query being made to the learned Additional Public Prosecutor as to the basis on which the conclusion that the documents are fake had been arrived at, no material was placed on record to indicate how such a conclusion



had been reached, and no satisfactory response was offered.

7. Having heard learned counsel for the parties and considering that the petitioner has already been terminated from service and there is no chance of tampering with the evidence, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Garkha P.S. Case No. 644 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds.

(Ajit Kumar, J)

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