

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50222 of 2014

Arising Out of PS. Case No.-214 Year-2014 Thana- KHIJARSARAI District- Gaya

Satendra Kumar @ Satyendra Kumar son of Late Lalan Singh, resident of village- Bira, P.S.- Hulasganj, District- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

Civil Writ Jurisdiction Case No. 9114 of 2015

Satyender Kumar son of late Lalan Singh resident of Village- Bira, P.S.- Hulasganj, District _ Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary , Rural Works Department , Government of Bihar, Patna.
3. The Chief Engineer, Rural Works Department , Patna.
4. The Superintending Engineer , Rural Works Department , Works Circle , Gaya.
5. The Executive Engineer , Rural Works Department , Works Division, Tekari, Gaya.
6. The Executive Engineer, Rural Works Department , Works Divisiona, Neemchak Bathani, Gaya.
7. The Assistant Engineer, Rural Works Department , Gaya
8. The Junior Engineer , Rural Works Department , Gaya.
9. The Joint Secretary, Rural Works Department , Government of Bihar, Patna
10. The S.D.O. , Gaya.

... .. Respondent/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 50222 of 2014)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate

: Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

(In Civil Writ Jurisdiction Case No. 9114 of 2015)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate

: Mr. Lakshmi Kant Sharma, Advocate

For the Respondent/s : Mr. Tripurari Nath Ambastha, AC to SC26

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

29 24-02-2026

The records of the case reveals that an order for releasing the petitioner on provisional bail was passed in the year 2014 by order dated 16.12.2014 and was extended on



18.03.2015, whereafter by order dated 23.09.2015, the present bail matter was tagged with C.W.J.C. No.9114 of 2015 since the dispute was common. However, taking into consideration that this bail matter is pending since the year 2014 and the Civil Writ requires adjudication between the parties, this Court finds it expedient in justice to proceed in bail matter by de-tagging C.W.J.C. No.9114 of 2015 and the same be placed before appropriate Bench after obtaining necessary permission of Hon'ble the Chief Justice.

2. Heard learned Senior counsel for the petitioner and learned counsel for the State.

3. The petitioner seeks bail in a case registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code.

4. As per the prosecution case, it is alleged that the petitioner, who is an agent of rural road construction, is said to have committed irregularity in construction of the road which incurred financial loss to the Government exchequer.

5. Learned Senior counsel for the petitioner submits that although the provisional bail was granted to the petitioner on 16.12.2014 itself with the understanding that the petitioner would file a petition before the relevant authorities



for the assessment of loss caused on account of him and would make payment of the same, however for a very long period no assessment was done in accordance with law i.e. without giving any hearing to the petitioner. Subsequently, aggrieved by the assessment order, the same was challenged by way of C.W.J.C. No. 9114 of 2015, which is still pending adjudication. An I.A. No.1506 of 2025, thereby praying for modification of the order dated 16.12.2014 was filed and further, a supplementary affidavit was filed in the year 2023, wherein it has been clearly stated that the case has still remained pending, awaiting final form without any further progress. It was also stated in paragraph-5 of the said affidavit, that even after lapse of nine years no evidence was collected which would be presumptive of the fact that there was complete dearth of evidence with regard to the petitioner. As such, a prayer was made to confirm the provisional bail granted to the petitioner by this Hon'ble Court.

6. Learned APP for the State has also been heard.

7. Taking into consideration the facts and circumstances and considering the very fact that the petitioner has remained on provisional bail since the year 2014 and even after lapse of so many years, till date even charge-sheet has not



been submitted, as per the instructions of the counsel given by his client, and further, there is nothing on record which would indicate that the petitioner had either not cooperated with the process of investigation or there was any misuse of the privilege of bail at his end, this Court finds no good ground to keep this application pending, as such, the provisional bail granted to the petitioner vide order dated 16.12.2014 stands confirmed.

8. However, it is made clear that the object of bail is only to secure the attendance of accused at trial and the considerations for the grant of bail are completely different and the same would not cause any prejudice to the case of the informant either in the present criminal proceedings or in the adjudication of the pending civil matter.

9. With such observations, this application is disposed of.

(Soni Shrivastava, J)

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