

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85547 of 2025

Arising Out of PS. Case No.-292 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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PINTU KUMAR S/O RAJ NARAYAN SINGH R/O VILL.- KON
BAJITPUR, P.S.- SAMASTIPUR MUFFASIL, DIST.-SAMASTIPUR AT
PRESENT R/O VILL. AND P.S.- KARPURIGRAM, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Dr. Pawan Kumar Singh Son of Basant Kumar Singh In charge Principal
B.Ed. College, Near Azad Chowk, Amirganj, Dharampur, Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Brajesh Kumar Singh, Advocate
For the State	:	Mr. Umesh Lal Verma, APP
For the Informant	:	Mr. Dinesh Maharaj, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 28-04-2026 Heard learned counsel appearing on behalf of the

petitioner, learned APP appearing on behalf of the State and

learned counsel appearing on behalf of the informant/Opposite

Party No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 319(2),
318(4), 336(3), 340(2) and 3(5) of the B.N.S..

3. The allegations, as per the F.I.R., is that the work of
filling of soil in the campus of Government Teacher's Training
College (B.Ed. College) was allotted to empaneled contractor,
namely Pintu Kumar, S/o Arum Kumar Rai. After allotment of



work, contractor Pintu Kumar introduced one Sujit Kumar @ Chintu Kumar as his partner and assured that the work will be completed by him. After completion of work, payment was made by the college on the basis of bill submitted. It is alleged that later on, it came to light that after completion of work that co-accused Sujit Kumar @ Chintu Kumar wrongly got the payment of bill in the account of this petitioner i.e. Pintu Kumar, S/o Raj Narayan Singh, who happens to be his brother, by committing fraud with the college authorities.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. It is not in dispute that petitioner is a contractor and was awarded two soil filling works vide Tender Invitation Nos. 04 and 05 dated 06.07.2024 by the Government Teacher's Training College (B.Ed. College), Azad Chowk, Dharmpur, Samastipur for a total sanctioned amount of approximated Rs. 20,54,000/-. The work orders were issued vide Memo Nos. 664 and 668 dated 27.07.2024 and 29.07.2024 respectively. From bare perusal of the work order issued vide Memo No. 668 dated 29.07.2024 it would be apparent that the same was allotted in the name of M/s Pintu Kumar, Resident of A.T. + P.O.- Bajitpur, Samastipur, i.e. this petitioner. It is not in



dispute that the petitioner duly completed the allotted work to the satisfaction of the college authorities and thereafter, full sanctioned payment was released in favour of this petitioner on 13.12.2024 and 27.12.2024. It is further submitted that after long gap of more than six months, the present F.I.R. has been lodged on 04.07.2025 and there is no plausible explanation for the inordinate delay. Even as per F.I.R., specific accusation of diverting the payment is against co-accused Sujit Kumar @ Chintu. Moreover, the dispute is purely civil in nature and none of the acts, allegedly committed by this petitioner, would give rise to any criminal liability. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials available on record and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Sub Judge V-cum-Additional
Chief Judicial Magistrate-II, Samastipur in connection with
Samastipur Muffasil P.S. Case No. 292 of 2025, subject to
condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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