

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43062 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -CHAINPUR District- BHABHUA (KAIMUR)

=====

Ishinar Dayal Chaudhary @ Ishiar Dayal Chaudhary son of Ramashish Chaudhary, resident of village-Kaithi, P.S.-Sonahan, District-Kaimur (Bhabhua)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra, Adv

For the Opposite Party/s : Mr. Anil Kumar Singh-I(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 14-12-2015 Heard both sides.

The Petitioner apprehends his arrest in Chainpur P.S. Case No. 139 of 2015, registered for the offences punishable Under Sections 409, 420 and 34 of the Indian Penal Code.

The petitioner in the financial year 2007-08 was entrusted for construction of school building, kitchen, laboratory and installation of tube. The estimated cost of construction of school building and others was Rs. 7,39,690/-, but till date of inspection i.e. on 9.7.2015, the petitioner did the work of Rs. 502800/- against the advance received by him of Rs. 6,64,776/-. The petitioner also withdrew advance of Rs. 1,34,000/- for construction of boundary wall but no boundary wall was constructed and altogether petitioner is alleged to have defalcated

Rs. 3,32,798/-.

It is submitted that the petitioner was ready to finish the work. One Mevalal Singh, obstructed the petitioner from making construction and on his petition the present F.I.R was lodged.

From perusal of F.I.R itself, it appears that the petitioner was entrusted the money to complete the construction within 3 months in the financial years 2007-08, but even after lapse of more than 7 years the petitioner did not complete the work and still Rs. 3,32,798/- is lying with the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly the same is rejected.

(Prabhat Kumar Jha, J)

siddharth/-

U		T	
---	--	---	--