

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55562 of 2018

Arising Out of PS.Case No. -646 Year- 2014 Thana -FORBESGANJ District- ARRARIA

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Bam Bahadur Singh S/o Birendra Singh, R/o Yarpur, Rajputana, P.S.-
Gardanibagh Town and District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Advocate.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Forbesganj P.S.Case No. 646 of 2014 registered under
Sections 406, 409, 420 & 120-B and read with 34 of the Indian
Penal Code.

It is submitted that as far as the petitioner is
concerned he is a contractor and there is no allegation in the FIR
that he received money without supplying the solar lamps. The
irregularity/illegality in the procedure of purchase, if any, was
committed, the petitioner cannot be held responsible for the same
as he had participated in a tender invited by the then Block
Development Officer and since his bid offer was the lowest, he
was given work order pursuant to which he had supplied the solar



lamps.

Learned counsel for the State opposed the application for grant of pre-arrest bail of the petitioner. He submitted that as per guidelines purchase was to be made either from BREDDA or from BELTRON, but the then Block Development Officer purchased the same from open market.

Regard being had to the nature of allegation and the submissions made above, in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 646 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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