

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67150 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- GAUTAMBUDHNAGAR District- Siwan

GANESH KUMAR @ GANESH KUMAR SAH Son of Gopal Sah Resident
of Village - Saidpur, Dighwara, P.S.- Dighwara, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-10-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with G.B. N agar PS Case No.38/19 registered for offences punishable under Sections 409, 420, 468, 120B of the Indian Penal Code.

As per the FIR, the petitioner was entrusted the work under Nal-Jal Yojna and also given earnest money of Rs.07 lac but he has not completed the work and in spite of reminding him repeatedly, he has not completed the work and as such he has misappropriated the government money.

Submission of the learned counsel for the petitioner is that he is only supplier and he has supplied the articles of Rs.6 lac and odd and rest of the amount he has returned and now the work has also been completed.



Heard learned A.P.P. also.

Having heard both sides and in view of allegation and submissions of the petitioner, this application is disposed of with direction to the petitioner to surrender and on surrender he will be released on provisional bail in connection with G.B. Nagar P.S. Case No.38 of 2019 for a period of three months and during that period, the learned court below shall call upon a report from the informant and other authorities concerned to verify the above submission as to whether the work has been completed or not or as to whether the rest of the amount he has returned and if on inquiry the above submission is found true, his bail bond shall be confirmed, otherwise the petitioner has to surrender and pray for regular bail.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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