

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21340 of 2020

Arising Out of PS. Case No.-20 Year-2019 Thana- JAMUI District- Jamui

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ARVIND PASWAN Son of Yogendra Paswan Resident of Yogendra Paswan,
Ward No. 01, Naya Tola Baijani Gaurachauki, Jagdishpur, Basauni,
Bhagalpur, P.S.- Jagdishpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Murli Dhar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

CAV ORDER

8 23-12-2021 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the

offences alleged under Sections 406, 409 and 420 of the Indian

Penal Code, registered in connection with Adarsh Thana Jamui

P.S.Case No. 20 of 2019.

Senior Deputy Collector, Jamui-cum-in-charge

Executive Officer, Nagar Parishad, Jamui, is the informant of

the case. He has lodged the FIR against the present petitioner,

the then Executive Officer, Nagar Parishad, Jamui for



committing a number of irregularities in purchase of number of articles i.e. Suction Machine, Movable Toilet and Mahindra Tractor etc. The FIR was lodged on the order of the District Magistrate, Jamui, who was satisfied with the inquiry report that the petitioner has committed a number of irregularities including inviting quotations of different Firms and gave purchase order without following the prescribed norms and circulars.

Learned counsel for the petitioner has submitted that the petitioner was Executive Officer, who had very limited power in respect of purchase and he had no option than to accept the proposal made by the elected body, headed by the Chairman and the Municipal Corporation. He has also submitted that as per the latest circular of the Bihar government, there is no need of inviting quotation, if the value of the articles is less than Rs. 5,00,000/-.

Learned APP has opposed the prayer for bail.

The present case has been lodged on the order of the District Magistrate, Jamui, who was satisfied considering the inquiry report that the petitioner has committed irregularities in purchase of the articles of Nagar Parishad. In paragraph no. 47 of the case diary, the case was found true against the petitioner. So far as the submission that if the articles for purchase are the



less than the value of Rs.5,00,000/-, no quotation is required.
Some articles like tractor is more than the value of
Rs.5,00,000/-, as has been mentioned in the inquiry report.

In my opinion, it is not a fit case for grant of
anticipatory bail to the petitioner. The prayer for bail is hereby
rejected.

Office shall ensure that all defects are removed by
the petitioner within the stipulated time provided in para 1
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

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