

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39602 of 2021**

Arising Out of PS. Case No.-56 Year-2020 Thana- KUNDWACHAINPUR District- East
Champanan

MD. IRFAN ALAM S/o Qamrul Alam R/o Mohalla- Agarwa, P.S.- Motihari,
District- East Champanan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Wasi Akhtar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 30-06-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 406 / 409 of the Indian Penal Code.

As per the F.I.R., this petitioner, who is proprietor of R.K.Enterprises, Balua, Motihari to do the work under scheme of *Nal Jal Yojana*, despite taking money of Rs. 10,50,000/- (Ten lacs fifty thousand), did not complete the work.

It is submitted on behalf of petitioner that there is no contract / agreement between the petitioner and informant or with the Managing Committee. Petitioner is simply a supplier of goods i.e. hardward, pipe etc., which he has already supplied under *Nal Jal Scheme* to the informant, but only amount of Rs. 10,50,000/- was paid and when he demanded his rest money, the informant filed the present case.



Learned A.P.P. for the State has opposed the prayer for bail of petitioner.

Considering the aforesaid facts and circumstances as well as nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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-Divisional Judicial Magistrate, Sikrahna at Dhaka, District – East Champaran in connection with Kundwa Chainpur P.S. Case No. 56 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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