

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47531 of 2021**

Arising Out of PS. Case No.-58 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

MD IRFAN ALAM Son of Qmrul Alam Resident of Village- Agarwa, P.S.-
Motihari Town, Dist- East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 17-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kundwachainpur P.S. Case no. 58 of 2020 instituted for the offence under Sections 406 and 409 of the Indian Penal Code.

As per allegation in the FIR, petitioner is proprietor of R.K. Enterprises, and Mukhiya of his Panchayat engaged him in a work under the scheme of Nal-Jal Yojna and has received Rs. 4,00,000/- by a cheque bearing cheque no. 485228. Petitioner has received 90% payment but not completed the work. He want to grab the money of government programme.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is only supplier of goods for the alleged government Scheme and he has provided only raw material on



demand of authority. In fact, it is the informant, who has not completed the work within prescribed time and misappropriated the raw material in illegal manner and with a view to save his skin from enquiry, he has lodged a false case with concocted story against the petitioner.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kundwachainpur P.S. Case no. 58 of 2020, he will be enlarged 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 learned ACJM V, Sikrahana at Dhaka, East Champaran, Motihari subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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