

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42250 of 2022

Arising Out of PS. Case No.-481 Year-2017 Thana- ARA NAGAR District- Bhojpur

RAJARAM S/o Late Ram Narain Resident of Flat No. 504, Sector-24, Kalyan
Garden View Apartment, Ring Road, Indira Nagar, Lucknow (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 409,
420, 467, 468, 471 and 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is aged about 70
years and he retired on 31.07.2012 as an Account Officer from
Ara.

The informant alleges that at Ara Collectorate
building, five Courts building and 10 Courts building were to be
constructed under an agreement whose contractor was M/s. B.K.
Enterprises and Managing Director of the said concern was



Bipin Kumar @ Bipin Chaudhary. It is further alleged that irregularities were found in the scheme by engineer Ramesh Prasad in which it was found that royalty had not reduced and payment has been advanced in excess and the work was not done even after continuous reminder. Accordingly, an amount of Rs.2,37,61,571/- was recoverable from the contractor. It is further alleged that the engineer also committed irregularity.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner retired from service on 31.07.2012 and the present FIR came to be instituted on 18.09.2017 i.e. five years after his retirement. It is next submitted that had an opportunity been given to the petitioner while in service to explain his side of the case perhaps the present FIR would not have been instituted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ara Town P.S. Case No. 481 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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