

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71925 of 2021**

Arising Out of PS. Case No.-54 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

MANOJ KUMAR SINGH Son of Devraj Singh Resident of Village -
Medanipur, Post Office - Kanchanpur, P.S.- Sasaram (M), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 08-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 420 and 34 of the Indian Penal Code.

In compliance of the order dated 02.08.2022, the District Magistrate, Rohtas along with the Block Development Officer, Sasaram Block is present in the Court.

They have been heard.

The personal appearance of the District Magistrate and the Block Development Officer is hereby dispensed with.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant who is a Member of Panchayat, Ward No.2 village Dhaudaha,



Rohtas alleges that she had assigned contract for constructing water tank in the Ward to M/s. Shubham Enterprises under Nal Jal Yojana at the instance of Mukhiya and Gram Sevak, further alleges that an amount of Rs. 14,38,000/- was disbursed for constructing the water tank, it is further alleged that the water tank collapsed due to use of inferior materials, thus alleges that the petitioner, who is the contractor, in connivance with the Mukhiya deceived the informant and thereby caused loss to public money.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner was the supplier of the raw materials used in the construction of the water tank and whenever the material was supplied, it was the informant who used to disburse the amount in lieu of the raw materials but she never objected that the materials were of inferior quality. Learned counsel further submits that the water tank was constructed by a contractor assigned by the informant and it appears that despite receiving good raw materials, they did not use the same in construction of the water tank, it is next submitted that it was not the petitioner who had constructed the water tank.



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. 25,000/- (Rupees Twenty Five 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 Sasaram (M) P.S. Case No. 54 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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