

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9277 of 2023

Arising Out of PS. Case No.-479 Year-2022 Thana- BAGHA District- West Champaran

SAYED MOHAMMAD ETHSAMUDDIN AHMAD @ SAYED MOHAMMAD ETHSAMUDDIN S/O S.M. NASAMUDDIN AHMAD @ S.M. NASIMUDDIN Resident of Village- Bunglow No.- 6, Ahmad Manzil Anand Bazar Danapur Cum Khagaul, Proprietor of M/s Army and Civil Store, Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Krishna, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Section 409 of the Indian Penal Code.

It has been alleged that substandard materials were supplied to different SC/ST Residential School of Bihar region, West Champaran, by the suppliers. Petitioner is alleged to have supplied mattresses of lower quality.

Learned counsel for the petitioner submits that the supply made by the petitioner's firm namely, M/s Army and



Civil Store, Patna has been duly verified and the same was directly accepted and entered in the stock register of the school. A copy of the letter in this regard is contained in Annexure-6. Besides this the District Welfare Officer, Bettiah had conducted inquiry and submitted its report, thereafter, steps for payment was processed. Thereafter, a three men committee also made physical verification and submitted its report in which there was no whisper regarding substandard supply of goods. Petitioner was given payments in August 2018 after following due process and verification. However, when the District Welfare Officer, West Champaran was transferred on 28.06.2022 only thereafter, he got the case lodged on 06.07.2022 due to ulterior motive. The petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 the learned A.C.J.M. 1st Bagha in connection with Bagha P.S. Case No. 479 of 2022 subject to the conditions laid down under



section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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