

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26358 of 2023

Arising Out of PS. Case No.-62 Year-2022 Thana- MAIGRA District- Gaya

AMARJEET SINGH Son of Late Dilip Singh Proprietor M/s Shashwat Services, Having its office at Mohan Complex, Road No.- 4, Ward No.- 29, P.O. and P.S.- Rampur, District - Gaya (R/o Mohalla West Police Lines, P.S.- Rampur, District - Gaya)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2023 Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Maigra PS case no. 62 of 2022, registered for the offences punishable under Section 409 and other allied sections of the Indian Penal Code.

The allegation is that the petitioner, who had been given a contract of installing 15 KV generator at Maigra Police Station, had instead installed 10 KV silent generator and thereafter, had submitted bill for 15 KV generator for the period 01.08.2022 to 30.08.2022 and 01.09.2022 to 30.09.2022, which was also approved and paid to the petitioner..

The learned counsel for the petitioner submits that



the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that earlier, the petitioner was having a clean antecedent, however, pertaining to the same incident, two FIRs have been lodged on the same day. It is also submitted by referring to the documents annexed to the present petition that the officer-in-charge of Maigra Police Station has certified that the petitioner had installed 15 KV silent generator during the aforesaid period, hence, it is submitted that the petitioner is not having any complicity in the matter and it is only on account of complaint made by his competitor that a bogie has been created and the petitioner has been falsely implicated in the present case.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the officer-in-charge of Maigra Police Station has certified that the petitioner had installed 15 KV silent generator apart from the fact that at best, the allegation regarding installation of 10 KV instead of 15 KV



generator is for a meager period of two months, I deem it fit and proper to grant benefit of doubt to the petitioner for the purposes of grant of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Sherghati, Gaya in connection with Maigra PS case no. 62 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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