

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43235 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- BELA District- Sitamarhi

Dilip Kumar @ Dilip Kumar Rai S/O- Late Fakira Rai Village- Panchayat Raj
Manpaur @ Saurbhar Ps- Bela Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends arrest in connection with
registered for the offence under sections 406, 409, 420/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has not committed any offence as alleged in the first
information report and he has been falsely implicated in this
case. It is further submitted that from the measurement books
annexed as Annexure-3 it appears that petitioner has constructed
two PCC works of Rs. 2,78, 187.89 and Rs. 10,53,588/- and Nal
Jal Yojna of Rs. 12,46,152/- and it is apparent that the work of
altogether Rs. 25,77, 927/- has been done as against the money
allotted i.e. Rs. 25,06,436/-. It is further submitted that from the



aforesaid calculation it is evident that an excessive work amounting to Rs. 72, 879.80 has been done by the petitioner. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner, above named, is directed to be released on bail on furnishing personal bond to the satisfaction of Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Bela P.S. Case No. 35 of 2023 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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