

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46286 of 2023

Arising Out of PS. Case No.-443 Year-2022 Thana- KOTWALI District- Patna

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GURU PRAKASH Son of Shiv Shankar Singh R/o House No.- 3199, Block -
C, Green Field Colony, P.S.- Suraj Kund, District - Faridabad, State -
Haryana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava

For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection
with Kotwali PS Case No. 443 / 2022 dated 08/08/2022
registered for the offence punishable under Section 420, 467,
468, 471 and 34 of the Indian Penal Code.

3. As per the prosecution case, M/s Kreta Light Pvt.
Limited, which is a Company registered under the Company
Act, through its agent submitted a tender pursuant to the NIT
published by BREDA under the “Mukhyamantri Gramin Solar
Street Light Yojna” bearing tender no. 18658 and it has been
alleged that the Company M/s Kreta Light Pvt. Ltd. submitted
the bid along with bank guarantee of Rs. 50 Lakh, which was
found to be fake.



4. Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he was not an agent appointed by the Company for the purpose of submitting tender document pursuant to NIT issued by BREDA having tender no. BREDA/EOI/SPV/MGSSLY/27/2021-22. Referring to page no. 27 of the brief, which is part of the FIR, learned counsel submits that petitioner was appointed as a power of attorney holder by the Company for entering into tender process in relation to tender no. 18658 issued by BREDA but the tender no. of the present NIT is BREDA/EOI/SPV/MGSSLY/27/2021-22. He further submits that the company in question has been blacklisted by the BREDA and the allegation against the petitioner and the Company at best is based upon documentary evidence for which custodial interrogation of the petitioner may not be necessary.

5. Regard being had to the submission made by the parties, taking into consideration the material available on record and the fact that allegation against the petitioner is based upon documents for which custodial interrogation of the petitioner may not be necessary, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on



anticipatory bail in the event of arrest / surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/-(rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Patna in connection with Kotwali PS Case No. 443 / 2022 subject to the conditions contemplated under Section 438(2) of the Cr.P.C. and subject to further condition that the petitioner will co-operate with the Police and will appear in the trial.

(Anil Kumar Sinha, J)

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