

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46870 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- IMAMGANJ District- Gaya

AMARJEET SINGH S/o- LATE DILIP SINGH Mohan Complex Road no-4,
ward no-29, Po Ps- Rampur Dist- Gaya R/o- Mohalla- West Police Lines Ps-
Rampur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 2 04-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner is apprehending his arrest in
connection with Imamganj P.S. Case No. 254 of 2022 registered
for the offences punishable under Sections 467, 468, 471, 420
and 511 of the Indian Penal Code.
3. As per prosecution case, installation of 20 KVA
generator at Imamganj police station is ordered to Sinha
decorator but Shashwat services arbitrarily issuing bill after
obtaining wrong utility certificate of 15 KVA. It is further
alleged that Shashwat services is issuing wrong bill in spite of
knowing that they have not installed the generator at Imamganj
Police Station.



4. Learned counsel for the petitioner submits that petitioner is a contractor and is registered in the name of Shashwat services who is engaged in providing different services to the Government offices and Government office installation. He further submits that petitioner bears criminal antecedent of one case which is Maigra P.S. Case No. 62 of 2022 lodged on the same date of the present case i.e. 30.12.2022. He further submits that the origin point of enmity with regard to the police has been initiated as the petitioner has raised grievance that the police is demanding 15 per cent commission upon the payment of bill which is annexed as annexure 14 of the bail petition. He further submits that from annexure 5/1 of the bail petition, it is evident that shashwat services has been given tender of installation of generator of 15 KVA at 18 places in which Imamganj thana is also included. He further submits that at page 55 of the bail petition, it is evident that officer-in-charge of Imamganj thana had issued certificate that Shashwat services is providing generator services in a better way from 01.07.2022 to 31.07.2022 as certified on 01.08.2022 in this way allegation made in the FIR is nothing but the high handedness of the police against the petitioner. He further submits that in the light of aforesaid facts and



circumstances , no case is made out against the petitioner as alleged in the FIR.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, , argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sherghati Gaya in connection with Imamganj P.S. Case No. 254 of 2022 , subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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