

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47863 of 2022**

Arising Out of PS. Case No.-111 Year-2019 Thana- TILAUTHU District- Rohtas

NARSINGH YADAV Son of Sheo Murat Singh Resident of Diliyan Ward  
No.- 34, P.S.- Sasaram, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      09-01-2023                      Heard Mr. Ansul, learned counsel for the petitioner  
and the State.

The petitioner is apprehending arrest in connection with Tilauthu P.S. Case No. 111 of 2019 instituted under sections 406, 420/34 of the Indian Penal Code.

As per the prosecution story, the informant has alleged that under 'Mukhya Mantri Saat Nischay Yojna', the contract amongst other was given to the petitioner but he failed to complete it satisfactorily despite the fact that payments were made. Accordingly, the FIR was lodged.

Learned counsel for the petitioner has taken this Court to the document to show that on his own they have stated that 80 per cent work has been done although he concedes that in absence of the fact that the motor was not working, may be



purpose for which the payment was made could not be materialized. He as such submits, on instruction, that the petitioner being the Contractor would always like to cooperate with the officials and on his own for the present is ready to pay Rs. 4,00,000/- to them and if it is found that any further amount is liable to pay, he will pay. On the other hand, if the officials come to the conclusion that it is the petitioner who the office has to pay back, the said amount would be cleared to him.

Learned APP on the other hand opposes the prayer.

In view of the fair submission put forward by Mr. Ansul, this Court is inclined to grant relief to the petitioner subject to payment of Rs. 4 lakhs as stated above.

Let the petitioner be released on bail subject to payment of Rs. 2 lakhs at the time of furnishing of his bail bond and remaining amount of Rs. 2 lakhs within next two weeks in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Rohtas (Sasaram) in connection with Tilauthu P.S. Case No. 111 of 2019 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the petitioner fails to deposit the remaining amount



of Rs. 2 lakhs within next two weeks, the concerned Court  
would be at liberty to cancel his bail bonds.

**(Rajiv Roy, J)**

Ravi/-Ajay  
Singh

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