

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49056 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- SUGAULI District- East Champaran

MAHESH SAHANI Son of Sri Horil Sahani Resident of village - Shitalpur,
P.s. - Sugauli, Dist. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra Jha 3, Adv.

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

- 2 23-08-2023 1. Heard learned counsel for the petitioner and
learned counsel for the State.
2. Petitioner apprehends arrest in connection with
Sugauli P.S. Case No. 287 of 2022 registered for the offences
under Sections 406, 409, 420 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in the
instant case. The allegation against the petitioner is that Rs.
13,50,000/- had been released in the year 2018-2019 for the
work of Nal-Jal Scheme, but the said work has not been
completed. However, Annexure-2 of the petition containing the
report of the Technical Assistant dated 04.11.2022 before the
B.D.O, Sugauli reveals that the work in question amounting Rs.
13,50,000/- has already been completed. It is also submitted that



the B.D.O. vide his letter nos. 966 dated 16.11.2022 (Annexure-3) and 364 dated 06.02.2023 (Annexure-4) informs that the petitioner be exonerated from the instant case as the work in question has already been completed. Further submission is that the petitioner has no criminal antecedent.

4. 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, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of C.J.M., East Champaran, Motihari in connection with Sugauli P.S. Case No. 287 of 2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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