

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 61524 of 2022

Arising Out of PS. Case No.-1083 Year-2019 Thana- ARARIA District- Araria

VINOD KUMAR S/O LATE TRIVENI PRASAD Resident of Mohalla-
Officer Colony, Near Meera Talkis, Marwari Patti, P.S.- Araria, District-
Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-03-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 406, 420, 467, 468, 471,
472, 120(B) of the IPC.

Prosecution case in brief is that, informant and his
staff invited for the tenders for supply of gym set materials from
the office of Araria District Planning Office vide PR16780
scheme 2018-2019 as the recommendation for supplying the
gym sets in the schools and colleges of total value of Rs.
5,49,856 and informant had supplied the gym sets to the
different schools as per direction of the petitioner and the
material supplied worth of Rs. 3,49,99,271 and on receiving the



supplied material informant submitted bill of Rs. 1,99,99,548 for payment from the petitioner then District Programme Officer who after consultation and inquiry of District Education Officer, Araria issued payment order vide his letter no. 495 dt. 20.07.2019 but the executive Officer and concerned has stated in sufficient amount in the account; that in between informant has deposited his further bill of Rs. 1,49,99,688 for supply of gym set the accused petitioner refused vide letter no. 530 dt. 05.08.2019 for cancellation of order supplying the gym set; that the petitioner has threatened the informant for implicating him in criminal cases of SC/ST, if the informant further approached dues and thus, committed cheating, forgery with the informant.

It is submitted on behalf of the petitioner, that from bare perusal of the FIR it is apparent that only with a view to pressurize the petitioner and others to make payment of the GST amount, this false and fabricated case has been lodged against them. The entire matter relates to supply of Gym Sets in different schools by the petitioner on the basis of recommendation of MLA from MLA quota and fund and no action has been taken suo-moto on behalf of the petitioner and the same was canceled due to change of policy and on the direction of the District Magistrate. Petitioner has not done



anything suo-moto in the entire allegation. No offence as alleged is made out against the petitioner.

Considering the same, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Araria in connection with Araria P.S. Case No. 1083/2019subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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