

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65588 of 2023

Arising Out of PS. Case No.-997 Year-2022 Thana- ARA NAGAR District- Bhojpur

Amit Kumar Son Of Baijnath Prasad Resident Of Village- Tari, Ps- Ara
Nagar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigendra Kumar, Advocate
		Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Ara Nagar P.S. Case No. 997 of 2022 dated 02.12.2022,
instituted for the offence punishable under Sections 409, 420,
467, 471 of the Indian Penal Code.

3. The prosecution case, in short, is that, an enquiry
was conducted with regard to work done by the Municipal
Corporation in which it was found that there are discrepancies in
the work done by the contractor. In the context of irregularities,
the report was submitted by the Inquiry Committee constituted
by District Magistrate, Bhojpur which found irregularities in the
schemes and as per the directions of the District Magistrate,



F.I.R. was lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the contractor of the said work as per the F.I.R. in the N.I.T. No. 2/2018-19. The work was done and measurement done by the Junior Engineer and the payment has been made to the contractor as per measurement. It is further submitted that it has neither been mentioned in the F.I.R. nor in the inquiry report that what amount has been defalcated by the petitioner and co-accused Junior Engineer namely, Pratik Ravidhar. It is further submitted that similarly situated co-accused namely, Aadil Hussain and Prateek Ravidhar have been granted bail *vide* order dated 21.07.2023 and 28.07.2023 passed by Co-ordinate Benches of this Court in Criminal Miscellaneous No. 29415 of 2023 and 30854 of 2023 respectively. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of



six weeks from today, in connection with Ara Nagar P.S. Case No. 997 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

