

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75067 of 2022

Arising Out of PS. Case No.-203 Year-2020 Thana- BIKRAMGANJ 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.Ram Pravesh Nath Tiwari, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused petitioner is named in F.I.R and
apprehending his arrest in connection with Bikramganj P. S.
Case No. 203 of 2022 registered for the offences punishable
under Sections 420, 467, 468, 470, 471, 506 and 406 of the
Indian Penal Code.

The allegation against the petitioner is to not to supply
the construction materials after receiving cash of Rs.
14,75,000/- from informant, who is Ward Member of Ward No.6
Village-Zarlahi Mathiya, P.S. Bikramganj, District-Rohtas.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner supplied materials of Rs. 11,75,000/- to



Execution Management Committee, Ward No. 6, Zarlahi Mathiya, Bikramganj, and also returned to informant cash of Rs 3,00,000/- which is duly acknowledged by way of endorsement of informant on said bill dated 10.06.2018. It is further submitted that alleged cash of Rs. 3,00,000/- was returned on demand of informant otherwise petitioner was in position to supply the required goods as demanded for the purpose of execution of Mukhyamantri Jal Nal Yojna in said Ward No. 6. While concluding the argument, it is submitted that petitioner found involved in 8 cases which is out of business transactions maximum related with Section 138 of the Negotiable Instruments Act, where he is on bail, where some of the matter has already compromised.

Learned APP for the State opposes the prayer of anticipatory bail.

Considering the aforesaid facts and circumstances, as petitioner furnished explanation as regard to received amount of Rs. 14,75,000/- through Bill dated 10.06.2018, let above named petitioner, in the event of his arrest or surrender before learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas/concerned Court, in connection with Bikramganj P. S. Case No. 203 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further condition:

(i) Learned Trial Court is directed to verify the genuineness of tax invoice/bill dated 10.06.2018 which is in support of supply of materials costing Rs. 11,75,000/- with an endorsement of informant to received Rs. 3,00,000/- at the time of furnishing of bail bond. A copy of said bill be presented by the petitioner before learned Court and in case if it found doubtful, the bail bond of the petitioner shall not be accepted.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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