

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74650 of 2022

Arising Out of PS. Case No.-37 Year-2020 Thana- BAIRIYA District- West Champaran

CHANDAN SINGH Son of Late Vikram Singh R/V- Shyampur, P.S- Bairiya,
Dist- West champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 409, 420 of the Indian Penal Code.

As per the prosecution case, the petitioner being contractor and other accused persons committed irregularity in maintenance of records of Mukhya Mantri Gramin Peyjal Yojna and Mukhya Mantri Gramin Gali-Nali Paccikaran Nishchay Yojana. The ward Kriyanawan and Prabandh Samiti had to do the work of the above scheme by itself but the Samiti has got it done through a contractor which is prohibited.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No



such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that petitioner being just contractor cannot be held responsible, since the records are kept and maintained by the Ward Enforcement and Management Committee. He further submits that petitioner can at best be held responsible for using sub-standard material, but that too is supplied by the Committee. He further submits that all the work has been completed by the petitioner. Similarly situated co-accused, namely, Munna Kumar and Madhubala Tiwari have been enlarged on bail by a co-ordinate bench of this court vide order dated 22.02.2023 and 22.08.2022, respectively passed in Cr. Misc. No. 42653 of 2022 and Cr. Misc. No. 28014 of 2021, respectively. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the similarly situated co-accused have been granted bail by the co-ordinate Bench of this Court, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six



weeks from today, on furnishing bail bond of Rs. 25,000/-
(Rupees Twenty Five Thousand) with two sureties of the like
amount each to the satisfaction of the learned Court below
where the case is pending/successor Court in connection with
Bairiya P.S. Case No. 37 of 2020, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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