

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22602 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- HATHAURI District- Muzaffarpur

Amritesh Kumar S/o- Kaushal Kishore Singh Resident of village-Bisauthaurf
Mahisautha Dhanaur, Ps- Katra Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arya Achint, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Hathauri P.S. Case No. 266 of 2023 registered under Sections
379, 406, 407, 467, 468, 471 and 420 of the Indian Penal Code.

3. As per prosecution case, under the second phase of
Lohia Swachh Bihar Abhiyan, solid and liquid waste
management, materials were supplied by an agency called 'AB
Tracker'. The materials supplied by the said agency were
contrary to departmental provisions. It is alleged that this
petitioner is proprietor of the said agency.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been



implicated in the present case due to ulterior motive. Further submission is that the First Information Report has been lodged after an inordinate delay of two days without any plausible explanation. The petitioner is the owner of the shop, and except for selling products to the customers, he has no role in the entire transaction. It was the role of the panchayat secretary (purchaser) to check the quality of the products. At the time of the purchase, the regular staff of the shop had disclosed all the aspects of the items being purchased by the panchayat secretary (purchaser). It is next submitted that petitioner had duly calculated SGST worth 2.5% and CGST worth 2.5% and the same was added to the bill of the purchaser which is evident from the bill receipts. Petitioner claims clean antecedent.

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

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Muzaffarpur (East) in connection with Hathauri



P.S. Case No. 266 of 2023, subject to the conditions as laid
down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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