

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45857 of 2024

Arising Out of PS. Case No.-76 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

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Arvind Kumar @ Guddu Son of Sanjay Kumar Singh @ Sanjay Singh
Resident of Village - Ujjain Math Lohiyar, P.S.- Harsidhi, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Kundwa Chainpur P.S. Case No.76 of 2020, G.R. Case No.475 of 2020, registered for the offence punishable u/s 406, 409 of the IPC.

3. As per the prosecution case, the informant paid Rs.9,95,000/- to the petitioner to complete a work under Nal-Jal Yojana within three months but the petitioner after completing 30% work, stopped the work and assured to complete the work after lapse of one year but the said work has not been completed by him and in this way he misappropriated the government money.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case. No such occurrence in the manner as alleged has ever taken place. There is no specific overt act against the petitioner. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the process u/s 82 of Cr.P.C. has been issued against the petitioner therefore, the present application is not maintainable.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law considering that the petitioner has already supplied the materials for which payment was made to him.

(Anjani Kumar Sharan, J)

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