

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56808 of 2024

Arising Out of PS. Case No.-325 Year-2018 Thana- BIBHUTIPUR District- Samastipur

Narendra Kumar @ Narendra Kumar Seth @ Sonu Kumar @ Sonu S/o Late
Nand Kishore Seth Proprietor of Hindustan Hardware, Narhan, Bibhutipur,
R/o vill - Singhia Buzurg, Singhia Uttar, ward no. 1, P.S. - Bibhutipur, Distt. -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with
Bibhutipur P.S. Case No.325 of 2018 instituted under Sections
420, 406, 341, 323, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, under the Chief Minister *Nal-
Jal Yojana*, the informant being a Chairman of ward members of
Gram Panchayat gave a cheque of Rs.5.50 lakh to the petitioner
(owner of Hindustan Hardware) through co-accused
Niranjan Verma (Secretary of Gram Panchayat) for boring and
construction of water tank but the petitioner only did the boring
work and fled away. It is further alleged that while the informant
was doing the work afresh, then the co-accused Niranjan Verma



started abusing and assaulting him with *lathi-danda* and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner was not named in the F.I.R. The name of the petitioner has surfaced in this case after three months of the alleged occurrence. The petitioner deals in raw materials of construction and water supply. The petitioner had already supplied the raw materials of more than Rs.5.50 lakh before institution of the present case. The petitioner was on police bail during investigation and after investigation, the police submitted charge sheet and thereafter cognizance has been taken against the petitioner and other accused person. It is further submitted that the other co-accused Niranjana Verma has already been granted bail by the learned Trial Court. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P.S. Case No.325 of 2018, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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