

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69391 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- PARIHAR District- Sitamarhi

Md. Iftekhar Hassan @ Md. Iftekhar Hasan Son of Late Abdul Khalik
Resident of Village - Lahuriya, Tole - Baswariya, Ward No. 1, P.S.- Bela,
District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 15-01-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Parihar P.S. Case No. 184 of 2023 dated 12.07.2023 registered
for the offence under Section 406, 409, 420 of the I.P.C.

3. As per the first information report the petitioner while
officiating as Chairman of Lahuria PACCS, Parihar Block was
authorized to construct a godown for which a sum of Rs. 10.92
lakhs was paid to him in three installments but during inspection
by the Executive Engineer, Division No. 1 it was found that the
petitioner has not completed the construction work of godown
as per the specification and misappropriated Government money
by using sub standard material.

4. Learned counsel for the petitioner submits that the
petitioner initiated construction work of godown and completed
construction up to roof level which is evident from the report of



the Executive Engineer, Work Division-1, Sitamarhi. He further submits that Rs. 10.92 lakh has been deposited in the saving account of Lahuria PACCS after recommendation of the Junior Engineer as well as Co-operative Extension Officer, Sitamarhi and the petitioner is not the beneficiary of any misappropriation of the Government fund.

5. Regard being had to the submission made by the petitioner, taking into consideration the nature of allegation, the fact that petitioner was authorized to construct godown as per specifications of the Government and was supposed to use raw materials as mentioned in letter no. 1114 dated 01.07.2023 & letter no. 1165 dated 07.07.2023 but he used substandard material as well as the order dated 16.09.2023 passed by learned 1st Additional Sessions Judge, Sitamarhi whereby while refusing the prayer for anticipatory bail the learned Sessions Judge has referred to various paragraphs of the case diary in which the witnesses have supported the prosecution case, I am not inclined to grant anticipatory bail to the petitioner. The prayer for the same is rejected.

praful/-

(Anil Kumar Sinha, J)

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