

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.93 of 2025

Arising Out of PS. Case No.-276 Year-2023 Thana- ITARHI District- Buxar

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Ramesh Kumar Maurya @ Yashwant Maurya S/o Hari Prasad Maurya @ Hari Prasad Singh R/o Collectorate Road, P.O.- Gajadharganj, P.S. Buxar Nagar, District- Buxar. Permanent R/o vill - Indaur, ward no. 6, P.s. - Itarhi, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Ms. Sarandha Suman, Advocate
For the State	:	Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 115, 167, 354A, 406, 409, 420, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, informant, namely Rooni Devi, who is member of Ward No. 1, alleges that in the year 2018 she received an amount of Rs. 21,69,000/- under the Nal Jal Yojna which she remitted to Buddha Construction, a proprietorship run by co-accused Ravi Prakash Maurya and this petitioner, for completion of work. It is alleged that without completing the work, the workers of Buddha Construction company disappeared and the company did not return Rs.



15,14,000/- and hence misappropriated the amount. It is further alleged that when the informant tried to contract them, she was threatened.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. Petitioner is not proprietor of Buddha Construction but is proprietor of Buddha Enterprises and the informant had an oral understanding with this petitioner for completion of work under the said scheme for which she had given Rs. 18,14,000/- to the petitioner's firm. As a matter of fact, the present F.I.R. has been lodged after due thought and deliberation with oblique motive and after substantial delay in as much as the alleged amount was given in the year 2018 and the instant F.I.R. has been lodged after inordinate delay of more than 5 years in 2023 and there is no plausible explanation for the same. While referring to the supplementary-affidavit filed on behalf of the petitioner, it is submitted that from perusal of the measurement book it is apparent that work amounting to RS. 15,08,276/- has already been completed.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



6. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 Judicial Magistrate, 1st Class, Buxar in connection with Itarhi P.S. Case No. 276 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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