

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43134 of 2015

Arising Out of PS.Case No. -12 Year- 2011 Thana -C.B.I CASE District- PATNA

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1. Som Pal Singh Saini, son of Late Prasada Singh, Resident of 95 D, D.D.A. Flates, Shivam Enclave, Sahadra, Delhi-32, P.S.- Vivek Vihar, District- Eastern Delhi.

.... Petitioner/s

Versus

1. The State of Bihar Through CBI/ACB, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Naresh Ray

For the Opposite Party/s : Mr. Bipin Kumar Sinha (Sc Cbi)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 18-09-2015

Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under sections 409, 420 and other allied sections of the Indian Penal Code section 13(2) read with 13(a)(c) & (d) of the Prevention of Corruption Act.

Petitioner is an Executive Engineer in C.P.W.D. Petitioner took charge from one Shiv Narayan, Executive Engineer, C.P.W.D., Sasaram Division.

It is alleged that no proper measurement was done for the earth work and excess payment was made.

It is submitted that the petitioner was not posted as an Executive Engineer at the time of initiation of construction

work and he has no occasion to verify the earth work. Shiv Narayan, the then Executive Engineer has already been enlarged on bail. Petitioner only has issued cheque for rupees nine lacs for payment to the contractor.

Sri Bipin Kumar Sinha, learned counsel for the C.B.I. submits that the petitioner was posted in the year 2009 and he handed over the charge of Executive Engineer in the year 2012. Work was started in the year 2007. Illegality is alleged to have been committed at the earlier stage i.e. at the time of initiation of the earth work. Petitioner is in jail since 11.08.2015.

Considering the facts aforesaid, petitioner above named is directed to 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 the learned Special Judge, C.B.I. III, Patna in connection with Spl. Case No. 8/2011 (RC 12(A) of 2011).

(Prabhat Kumar Jha, J)

Amin/-

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