

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43886 of 2015

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

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Satyendra Kumar son of late Bangali Prasad, resident of village Bhadwa,
P.s. Rahui, District Nalanda at present posted as Executive Engineer,
C.P.W.D. office, Hinoo, Ranchi- 2.

.... Petitioner/s

Versus

The State of Bihar Through C.B.I./A.C.B., 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 22-09-2015

Heard both sides.

Petitioner seeks bail in a case registered for the offences punishable under sections 409, 420 and other allied sections of the Indian Penal Code and Section 13(2) read with section 13(1)(c) & (d) of Prevention of Corruption Act.

It is alleged that the petitioner being Assistant Engineer along with other Executive Engineers and Superintending Engineers were entrusted with the supervision of earth work for construction of National Highway and they committed illegality. It was found that there was irregularity in measurement of work done. Some illegality in the earth work was found. Petitioner had committed irregularity on otherwise consideration.

It is submitted that the Superintending Engineer supervised the case and found no irregularity. Construction was

already completed. Petitioner is in jail since 11.08.2015. Similarly situated other Engineers have already been enlarged on bail.

Mr. Bipin Kumar Sinha, learned counsel for the C.B.I. has submitted that petitioner is Assistant Engineer and he is solely responsible for irregularity committed in the earth work for construction of road but at the same time he does not dispute the fact that the case of the petitioner stands on the same footing as that of other accused persons who have already been granted bail.

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 Special Case No. 8 of 2011 corresponding to R.C. Case No. 12-A of 2011 subject to the condition that petitioner shall co-operate in trial and if petitioner fails to appear during course of trial without plausible explanation, the learned trial court shall be at liberty to cancel bail bonds of the petitioner.

(Prabhat Kumar Jha, J)

Amin/-

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