

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18552 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -RANIGANJ District- ARRARIA

1. Chandra Shekhar Singh Son of Sri Mahavir Prasad Singh resident of
Village- Jitwarpur Chowk, PS Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava

For the Opposite Party/s : Mr. A.Haque Sahara(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 09-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for anticipatory bail arises out of
Raniganj P. S. Case No. 12 of 2016, disclosing offences under
Sections 409,420,120B of the Indian Penal Code.

The petitioner, at the relevant point of time was posted as
Assistant Engineer, Rural Works Department at Raniganj. It is
alleged that the amount released for construction of I.T.C.,
building in the block campus has been misappropriated by the
Junior Engineer in collusion with the present petitioner.

Learned counsel for the petitioner has submitted that no
offence under Section 409 of the Indian Penal Code is made out
inasmuch as, there is no allegation of entrustment of any amount

in favour of the present petitioner.

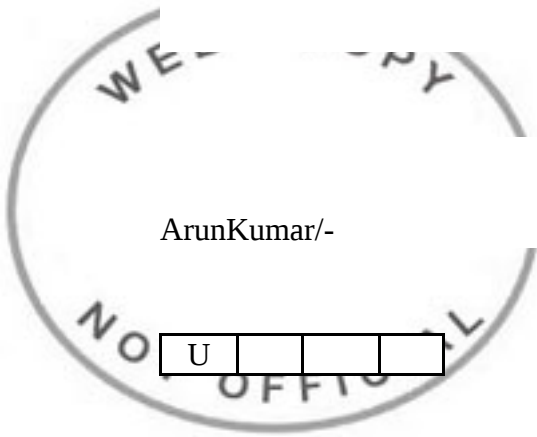
A supplementary affidavit has been filed on behalf of the petitioner stating therein that no departmental proceeding has been initiated against him.

Considering the fact that the petitioner is a Government servant and though the allegations contained in the First Information Report constitute misconduct within the meaning of the Bihar Government Servant Conduct Rules, no disciplinary proceeding has been initiated against him, this application is allowed.

Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Sanjeev Kumar II, learned Judicial Magistrate, Ist Class, Araria in Raniganj P. S. Case No. 12 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds

shall be liable to be cancelled.



ArunKumar/-

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(Chakradhari Sharan Singh, J)