

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28871 of 2016

Arising out of P.S. Case No.219 Year- 2016 Thana -BARBIGHA District- SEKHPURA

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Shiv Shankar Kumar, s/o late Basant Prasad Singh, resident of village-
Kasar, P.S.- Ariari, District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Adv.

For the State : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 25-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Barbigha P.S. Case No. 219 of 2016 registered under Sections
420, 409, 406 and 120B of the Indian Penal Code.

It is contended that the allegations made in the F.I.R. are
false and fabricated. Pursuant to a tender notice issued by the
Building Construction Department, the firm belonging to the
petitioner was allotted the contract work as the firm was the lowest
tenderer. The construction work was completed within six months
and the building was handed over to the Headmaster of the school
on 7th of August, 2010. The school smoothly functioned for five
years or more without any complaint from any corner and

suddenly, an F.I.R. has been instituted alleging certain irregularities in construction of the building.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Regard being had to the nature of allegation, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, II, Sheikhpura, in Barbigha P.S. Case No. 219 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

S.Ali/-

(Ashwani Kumar Singh, J)

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