

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12723 of 2016

Arising Out of PS.Case No. -59 Year- 2014 Thana -KUTUMBA District- AURANGABAD

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Ramchandra Prasad, S/o Shivander Singh, R/o Vill Nanhul, P.S. Pakari,
District- Baliya (U.P.). At present posted as Assistant Engineer, Flood
control Pramandal, Madhubani Camp, P.S Madhubani, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md.Sufiyan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

8 10-08-2016 Heard both sides.

The petitioner apprehends his arrest in Kutumba P.S.
Case No. 59/14, registered for the offences punishable under
Sections 379, 477, 34 of the Indian Penal Code.

The informant alleged that petitioner was posted as
Assistant Engineer in Irrigation Department at Batane Shirsh
Karya Pramandal, Hariharganj, camp Amba and he did not hand
over the documents to his successor. It is submitted that the
petitioner was posted in the aforesaid division in the year 2002 and
he was transferred on 15.07.2009.

In para 2 of the report of Mr. Manoj Kumar Srivastava,
Departmental Enquiry Commissioner, General Administration

Department, Government of Bihar it would appear that on 26.04.2010 the entire documents were returned to the Executive Engineer Batane Shirsha Karya Pramandal, Hariharganj, Shivir, Amba, Aurangabad and Priya Ranjan Kumar Sinha, Accounts Clerk received those documents. Petitioner was not posted there on 26.04.2010 thereafter, those documents were missing and for that petitioner could not be held responsible.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Aurangabad in connection with Kutumba P.S. Case No. 59/14, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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