

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43226 of 2016

Arising Out of PS.Case No. -279 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

1. Sanjay Kumar son of Bhuneshwar Das resident of Mohalla - Girihinda, Police Station and District - Sheikhpura, At present Vikash Mitra, Ward No. 19, Nagar Parishad, Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 409 and 402 of the Indian Penal Code.

Admittedly petitioner being the Vikash Mitra was appointed as contractor for construction of Mahadalit Samudayik Bhawan. He was given Rs.1,07,500/- for the purposes of aforesaid construction but neither he has constructed the building nor he has returned the amount which led to execution of criminal case.

Learned counsel for the petitioner submits that petitioner was allowed to construct the building but one Uma

Shankar Singh has encroached the Government land where the building was to be constructed and on that account the building could not be constructed which led to issuance of notice which the petitioner has challenged before this Court vide C.W.J.C. No. 14099 of 2015. He has further submitted that petitioner undertakes to return the aforesaid amount within two months from the date of his release.

Having considered the facts and circumstances of the case, let petitioner, Sanjay Kumar, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 279 of 2016 with a condition that petitioner must return the aforesaid amount within a period of two months from the date of his release.

In case of failure this order will be treated to have been cancelled. Returning of the amount will not affect the outcome of C.W.J.C. No. 14099 of 2015.

Vinay/-

(Shivaji Pandey, J)

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