

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14886 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MASRAKH District- SARAN

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1. Pankaj Prakash Sharma @ Pankaj Sharma, son of Prakash Sharma, resident of Supreme House, Flat No. 94/C, P.S. Pratap Garh, at present residing at 701, Hawai Apartment, Besides Hitanandanit Hospital, I.I.T. Pawai, Mumbai- 400076
 2. Rajdutt Pandey, son of late Birendra Kumar Singh, resident at 7, Manhaelane, P.S. Yadavpur, Kolkata- 700001, at Infrastructure Limited, G, 17, sector salt Kel, Kolkata
 3. Arun Kumar Suman, son of late Virendra Kumar Singh, resident of Mohammadpur, P.O. Tikniwas, P.S. Mohammadpur, District Gopalganj, presently residing at C/o Pal Singh, Maa sadan, Mashrakh, Chapra .
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. B.P.Pandey, Sr.Adv.
Pravin Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Awdhesh Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioner and the learned

Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Mashrakh P.S.Case No. 5/2016, disclosing offences under sections 420 and 406 of the Indian Penal Code.

The petitioners were awarded contract for metaling canal road under Saran Nahar Pramandal, Gandak Yojana, Marhowarah. It is alleged against the petitioners that they, in collusion with the officials of the said division, took away certain materials (stone single) from Rajpatti Railway Station and used it in construction

of the said road, though there was no provision for use of official material in the said construction.

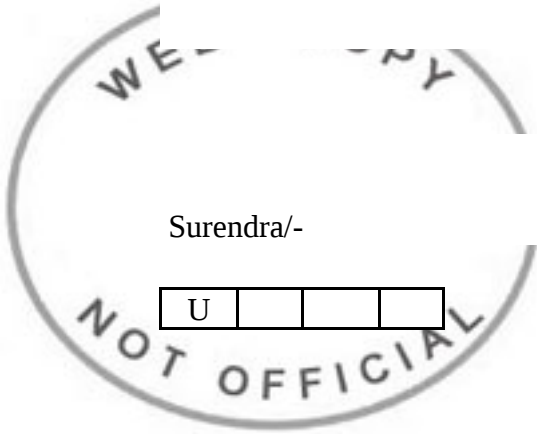
Learned Senior counsel, appearing on behalf of the petitioners, has submitted that the petitioners had used the said materials with the consent of the officials and deductions have been made from the bills against use of the said materials, at market rate. He has further submitted that considering the nature of accusation, there is no likelihood of tampering with the evidence or influencing the investigation in any manner whatsoever.

Considering the facts and circumstances, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, 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 the Addl. Chief Judicial Magistrate VIII, Saran in Mashrakh P.S.Case No. 5/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to

appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.



(Chakradhari Sharan Singh, J)

Surendra/-

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