

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5953 of 2016

Arising Out of PS.Case No. -66 Year- 2015 Thana -NAWANGAR District- BUXAR

1. Sunny Kumar Son of Ram Nath Singh Resident of Village- Bihari Bigha,
P.s Akhouidi Gola, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh

For the Opposite Party/s : Mr. Durgesh Nandan(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-02-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Nawanagar Police Station Case No. 66 of
2015, disclosing offences under Sections 406, 409 and 420
of the Indian Penal Code.

Allegedly, a sum of Rs. 52,97,500/- was allotted
to the co-accused Umashankar Pandey, Panchayat
Secretary, for construction of E-Kisan Bhawan. Out of the
said amount, sum of Rs. 40,69,688/- only was used and
rest of the amount is said to have been misappropriated.
The petitioner's name, who is a Junior Engineer under the
State of Bihar, surfaced in course of investigation.



Learned Counsel for the petitioner has drawn my attention to Annexure-2 to this application, to submit that the main accused, Umashankar Pandey, has been granted anticipatory bail by an order of this Court, dated 26.08.2015, passed in Criminal Misc. No. 25488 of 2015, on the condition that he deposits the amount alleged to have been defalcated. Learned Counsel for the petitioner further submits that no specific role has been attributed to the petitioner in defalcation of the amount in question.

Considering the submission, as above, this application is allowed.

Let the petitioner, Sunny Kumar, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Nawanagar Police Station Case No. 66 of 2015, subject to the condition 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 same 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 bond shall be liable to be cancelled.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)