

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9961 of 2017

Arising Out of PS.Case No. -37 Year- 2016 Thana -ANTICHAK District- BHAGALPUR

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1. Sumit Kumar Dev @ Sumit Dev, S/o Baldev Lal Dev, Village-
Naugachiya, P.S.- Naugachiya, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-03-2017 The petitioner is apprehending his arrest in connection
with Atichak P.S. Case No. 37 of 2016, registered for offences
punishable under Sections 409, 420, 467, 468 and 471 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that after
one sided enquiry petitioner has been made accused in this case
though the work has been completed in this case and petitioner
being a Junior Engineer, he has not drawing & disbursing officer
and there is no case of defalcation.

Heard learned A.P.P. also.

Having heard both sides, in view of the submission of
learned counsel for the petitioner, let the petitioner above named,
in the event of his arrest or surrender before the court below



within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on provisional bail till submission of charge-sheet, on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhagalpur in connection with Atichak P.S. Case No. 37 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and shall produce all the necessary documents and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.



It is also made clear that once the charge-sheet is filed in this case, the petitioner will have to surrender in the court below and make prayer for regular bail, which will be considered by the court below on the basis of materials available on the case diary and the court below shall pass an appropriate order, if possible, on the very same day.

With the above observation, this application is disposed.
Of.

(Vinod Kumar Sinha, J)

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