

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56588 of 2017

Arising Out of PS.Case No. -332 Year- 2016 Thana -DUMRA District- SITAMARHI

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1. Pradeep Kumar Yadav, Son of Late Rohan Prasad Yadav, Resident of Village- Kandhar, P.S.- Belhar, District- Banka at present Junior Engineer, Bagmati Pramandal, Sitamarhi (Singhwara).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Dumra P.S.

Case No. 332/2016 dated 19.12.2016 instituted for the offences under Sections 420, 409/34 of the Indian Penal Code.

A contract work was executed for strengthening of Adhwara river bank and payments were made without the approval of the Chief Engineer.

Learned counsel for the petitioner has submitted that the payments were made on the directions of the Executive Engineer and the petitioner in the capacity of the contractual Junior Engineer had only taken the measurements and had made entry in the measurement book. It has further been submitted that another Junior Engineer, viz. Rajiv Kumar, who too was a



contractual Junior Engineer and was alleged to have taken the measurements, has been granted bail by a Bench of this Court vide order dated 09.11.2017 passed in Cr. Misc. No. 53656/2017.

Taking into account the period of custody of the petitioner, which is from 25.06.2017, this Court is inclined to grant bail to the petitioner as well.

The petitioner above named is directed to be released on bail on her furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 332/2016, subject to the following conditions:

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his



part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Ashutosh Kumar, J.)

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