

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53656 of 2017

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

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Rajiv Kumar, Son of Ramrijhan Gosain, Resident of Village – Lohkar Chowk, P.S. Sonebarsa, District –Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-11-2017 The petitioner seeks regular bail in connection with Dumra P.S. Case No. 332 of 2016, registered for offences punishable under Sections 420, 409 and 34 of the Indian Penal Code.

Prosecution case in short is that a contract was executed for raising and strengthening the Adhwara river bank between the contractor and the department, thereafter, the work was being executed but later on due to some deficiency, there was order for not making the payment till approval of chief engineer but it appears on direction of the executive engineer, the payment was made and petitioner was said to be Junior Engineer on contract.

It has been submitted on behalf of the petitioner that he has no role to play in the said offence as he was only a contractual junior Engineer during the relevant time and other co-accused,



who is an accountant has already been granted the privilege of anticipatory bail by this Court vide order dated 21.08.2017 passed in Cr. Misc. No. 21604 of 2017 and petitioner has been in custody since 25.06.2017

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi, in connection with Dumra P.S. Case No. 332 of 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.

(Vinod Kumar Sinha, J)

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