

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21604 of 2017

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

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Sanjay Kumar, son of Late Jwala Prasad, resident of Village/Mohalla-
Rupauli, P.O.- Bishunpur, P.S.- Dumra, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Nilesh Kumar, Adv.
Ms. Babita Kumari, Adv.
Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 21-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest
in connection with Dumra P.S. Case No. 332 of 2016 registered
for offences under sections 420, 409/34 of the Indian Penal Code.

The First Information Report has been lodged against
Gunja Lal Ram and others and the petitioner has also been arrayed
in the list of the accused persons.

Initially an allegation has been made that without
prior approval, the money has been paid to the Contractor but,
from the Case Diary, it appears that the Executive Engineer
recommended for payment to the Contractor, the petitioner



raised objection that unless there is a proper approval from the competent authority, payment should not be made but, the Executive Engineer overruled the same and, accordingly, payment has been made. A departmental proceeding was initiated against the petitioner wherein the petitioner has been exonerated from the charges made against him.

In that view of the matter, let the petitioner, namely, Sanjay Kumar, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 332 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been cancelled.

(Shivaji Pandey, J)

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