

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22657 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -VALMIKINAGAR District-
WESTCHAMPARAN(BETTIAH)

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Ranjan Kumar, S/o Narsingh Prasad, Junior Engineer Gandak Baraz,
resident of Village - Mahuari, P.S. - Naukha, District - Rohtas.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party : Mr. Madhuranand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Valmikinagar P.S. Case No. 53 of 2016, registered for the
offences punishable under Sections 287 of the Indian Penal Code
and Section 3 of the Prevention of Damage to Property Act, 1984.

Allegedly, due to negligence of the petitioner and
others excess water flew causing damage to the public property.

Submission is of false implication and that there is no
direct evidence regarding damage etc. Others were also
responsible and at worst, it may be a case of negligence of a
government Servant and not a case of criminal liability. Similarly
situated co-accused Abhimanyu Sharma has been allowed pre-



arrest bail vide Cr. Misc. No. 49793 of 2016 vide order dated 09.12.2016 by another co-ordinate bench of this Court and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from that of co-accused.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 Sri Sandip Patel, Judicial Magistrate 1st Class, Bagha, West Champaran, in connection with Valmikinagar P.S. Case No. 53 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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