

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41465 of 2017

Arising Out of PS.Case No. -19 Year- 2011 Thana -SANJHAULI District- SASARAM (ROHTAS)

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Ram Narayan Yadav @ Ram Narayan Singh Son of Late Ram Bahadur Yadav, Resident of Village- Hanuman Nagar, P.O. Bharwari, P.S. Rosera, District- Samastipur. The then Executive Engineer, Rural Works Department 01, Sasaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 06-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sanjhauli P.S. Case no. 19 of 2011, registered under Section 409 of the Indian Penal Code.

The allegation of informant Dheer Singh, who is Headmaster K.K. Singh School Sanjhauli, is that Rs. 26 Lakhs was allocated for construction and repairing of the said school building out of which Rs. 13 Lakhs was made available on 18.05.2010, which was handed over to the petitioner being the Executing Engineer, but he did not start work in spite of request of the informant.

Learned counsel for the petitioner submits that it would appear from the F.I.R that vide order dated 23.09.2016 passed in



A.B.P. No. 2010 of 2016, whereby the prayer of pre-arrest bail of the petitioner has been refused by Addl. Sessions Judge-VIII, Rohtas at Sasaram that when informant made request to return the alleged Rs. 13 Lakhs to the petitioner which was given to him for construction of school building then petitioner started construction and it has also come that this petitioner retained Rs. 13 Lakhs with him in between 17.05.2010 to 27.10.2010 and the work has already been completed. Further submission is that during the investigation it has come in para 90 of the case diary that the said work has already been completed by the petitioner, which is found satisfactory.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the SDJM Rohtas at Sasaram in connection with Sanjhauli P.S. Case No. 19 of 2011, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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