

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49259 of 2017

Arising Out of PS.Case No. -194 Year- 2017 Thana -KARGHAR District- SASARAM (ROHTAS)

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1. Narendra Kumar @ Narendra Kumar Gupta, Son of Doma Sah, Resident of Village-Beda, P.O.-Morsaray, P.S.-Sasaram, District-Rohtas at Sasaram

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 14-11-2017 Heard both sides.

The petitioner apprehends his arrest in Karghar P.S. case No. 194 of 2017 for the offences punishable under Section 406, 409, 420 of the Indian Penal Code.

The gist of the allegation is that Mukhiya and Panchayat Secretary withdrew money of two schemes for completion of one scheme.

The learned counsel for the petitioner submits that Mukhiya of Samardiha Panchayat has not been made accused. The estimated price of the construction of P.C.C. and drainage was Rs. 4,99,500/-. The petitioner was junior engineer and he measured the work done by the Mukhiya and Panchayat Secretary and entered into the M. B. (measurement book). The learned counsel



for the petitioner submits that Manoj Kumar @ Manoj Kumar Singh, Assistant Engineer, supervised the work and he did not find any shortcomings in the measurement done by the petitioner and compared the entry made in the M.B. Manoj Kumar Singh has already been granted anticipatory bail vide order dated 09.11.2017 passed in Cr. Misc. No. 51698 of 2017. It is further submitted that other accused persons have also been granted anticipatory bail.

It appears that, of course, the petitioner was junior engineer and he made entry in the measurement book, after measuring the work done by the Mukhiya and Panchayat Secretary, who withdrew the amount for execution of the scheme, and eight meter P.C.C. was found short and seven feet drainage was also found short from the measurement done by the petitioner but the Assistant Engineer also verified the measurement done by the petitioner and he has already been granted anticipatory bail.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate, Rohtas, Sasaram in connection with Karghar P.S. case No. 194 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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