

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60301 of 2017

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

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Ravindra Kumar @ Ravish Kumar, Son of Janak Praasd Yadav, Resident of
Village-Awas Board, P.O.-Koshi College, P.S.-Mufassil, District-Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-12-2017

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection
with Dumra P. S. Case No.332 of 2016 registered under
Sections 420 and 409/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that
though the petitioner is named in the FIR, he is not involved in
any way so far as illegal payment to the contractor is concerned.
He submitted that the petitioner is not the paying authority,
rather the paying authority is the Executive Engineer and the
bill was regular or irregular was to be verified by the
Accountant, who has also been made co-accused and has
already been granted pre-arrest bail vide order dated 21.08.2017



passed in Cr. Misc. No. 21604 of 2017.

On the other hand, learned counsel for the State submitted that at the relevant time, the petitioner was a Junior Engineer and he had also signed over the measurement book pursuant to which paying authority had made the payment.

In reply, learned counsel for the petitioner submitted that from the order dated 21.08.2017 passed in Cr. Misc. No. 21604 of 2017, it would be pertinent to note that the Executive Engineer recommended for payment to the contractor overruling the objection raised by the accountant Sanjay Kumar.

Be that as it may, regard being had to the facts and circumstances of the case, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in Dumra P. S. Case No.332 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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