

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25507 of 2017

Arising Out of PS.Case No. -162 Year- 1998 Thana -NAYA RAM NAGAR District- MUNGER

=====

Chandradeo Sinha, aged about 74 years, son of Late Parmanand Sinha, resident of Village- Bijabar, Post Office- Akauna, Via- Punpun, Police Station- Dhanarua, District- Patna, at present resident of Mohalla- Adarsh Colony, West Patel Nagar, South of Panch Mandir, Police Station- Shastrinagar, Town and District- Patna, State- Bihar. He was working as the Executive Engineer, Irrigation Division, Garhi, Police Station- Khaira, District- Jamui, State- Bihar, with effect from 16th July, 1997 to 10th December, 1999.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajendra Narain, Sr. Adv.
Mr. Shyam Kishore Sinha, Adv.

For the Opposite Party/s : Mr. Satyaverat Verma, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-06-2017 Heard Mr. Rajendra Narain, learned Senior counsel

for the petitioner and Mr. Satyaverat Verma, learned Additional

Public Prosecutor for the State.

The petitioner is seeking regular bail in connection

with Naya Ramnagar P.S. Case No. 162 of 1998, G.R. No. 2009-

B of 1998 registered for the offences under sections 409, 420/34

and 120B of the Indian Penal Code.

Learned Senior counsel for the petitioner while

referring to the First Information Report, as contained in

Annexure-2, would submit that the allegation so far as the



petitioner is concerned, is omnibus and general, as it is alleged that in course of transportation, iron rods were not supplied at the destination and the accused persons including the present petitioner were involved in the misappropriation of the same. He would further submit that allegations against the petitioner are apparently false as according to him, the informant himself says that letter No. 825 dated 17.08.1998 was not issued by his Office and the same is containing a forged signature. He further points out that in the present case now charge-sheet has been filed against the petitioner showing offence alleged under sections 409, 420, 467, 468, 471 and 120 (B) I.P.C. He would further submit that since the investigation is over, the petitioner may be released on bail.

Learned A.P.P. opposed the prayer for bail pointing out the conduct of the petitioner that his anticipatory bail applications repeatedly filed before this Court, was lastly dismissed on 11.02.2000 and thereafter, the petitioner did not surrender and kept on evading his arrest/appearance in this case and the matter remained pending for long 17 years because of non-appearance of the petitioner as also other accused persons, who kept on putting appearance with some intervals.

Considering the fact that the petitioner was well aware



of the present case and he repeatedly filed applications before this Court for grant of anticipatory bail, which was lastly dismissed on 11.02.2000 and thereafter, he could not surrender and was lastly arrested on 24.02.2017 only, on his conduct, the petitioner could not pursue the conscience of the Court to allow him to be released on bail at this stage. When the charge-sheet has already been submitted against him, rather this Court is of the opinion that the court below be directed to take immediate steps for commencement of the trial and for that, let necessary order be passed by the court below within one month from the date of receipt/production of a copy of this order subject to the remedy available to petitioner in law. The Trial Court would take efforts to conclude the trial preferably within a period of nine months from the date of receipt/production of a copy of this order. If the trial is not concluded within a period of nine months, the petitioner may renew his prayer for bail before the court below.

With the above observation and direction, the prayer for regular bail of the petitioner is rejected at this stage.

(Rajeev Ranjan Prasad, J)

Mahesh/-

U		T	
---	--	---	--

