

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5200 of 2017

Arising Out of PS.Case No. -44 Year- 2014 Thana -MADHWAPUR District- MADHUBANI

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1. Sushil Kumar Chaudhary, Technical Supervisor Madhuapur Prakhand,
S/o Late Gajju Chaudhary, R/o Village- Mahtha, P.S.- Ladaniya, District-
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar. null null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Narayan Sinha

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Madhwapur P.S Case No. 44 of 2014 (G.R. No. 2864 of 2014)
registered for the offences punishable under Sections 406, 409 and
420/34 of the Indian Penal Code.

Allegedly, the petitioner being Technical Supervisor,
in collusion with the Headmaster of the School did not construct
the room as per sanctioned map.

Submission is of false implication and that the
petitioner is suffering in custody since 28.10.2016, chargesheet
has already been submitted and there is no chance of tampering
with the prosecution evidence. The function of the petitioner is to



provide technical assistance, he was not the executant of the work and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, considering that there is no chance of tampering with the prosecution evidence and, as such, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Shri Ajay Kumar, J.M. 1st Class, Benipatti at Madhubani, in connection with Madhwapur P.S. Case No. 44 of 2014 (G.R. No. 2864 of 2014), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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