

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20679 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -VALMIKINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Atul Kumar, S/o Baidyanath Patel, R/o Village+P.O.+P.S.- Sonbarsa,
District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shiva Shankar Sharma, Adv.

For the Opposite Party : Smt. Suman Kumari Singh, APP 164

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-05-2017 Heard the learned counsel for the petitioner
and the State.

This is a petition for grant of anticipatory bail for
offence under Sections 287 of the Indian Penal Code and
3 of the Prevention of Damage to Property Act, 1984.

The petitioner was Junior Engineer of the
Irrigation Department. On the date of occurrence he was
assigned the duty to note the flow of water of Balmiki
Nagar Gandak Barrage. Allegation is that due to
negligence of the petitioner and others excess water flew
causing damage to the public property.

Submission of the petitioner is that there is no
direct evidence regarding damage etc. Others were also
responsible and at worst, it may be a case of negligence of
a Government servant and not a case of criminal liability.



Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Valmikinagar P.S. Case No. 53 of 2016** to the satisfaction of **Sri S. Patel, Judicial Magistrate, 1st Class, Bagaha, West Champaran**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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