

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73013 of 2018

Arising Out of PS. Case No.-502 Year-2018 Thana- ARARIA District- Araria

MAHENDRA CHAUDHARY @ MAHENDRA YADAV then Executive Engineer Irrigation Division, Bathnaha, Son of Late Basant Chaudhary, Resident of Village-Punarah @ Punar, Police Station-Atari, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 19-12-2018

Heard the learned counsel for the parties.

This application for anticipatory bail arises out of Araria P.S. Case No.502 of 2018, disclosing offences under Sections 406,420/34 of the Indian Penal Code.

Learned Counsel for the petitioner submits that the petitioner is serving as Executive Engineer in the Department of Irrigation presently under suspension. He has relied on an order of this Court dated 14.12.2018 passed in Criminal Misc. No. 62847 of 2018 (Md. Manzar Naim @ Manzar Naim @ Md. Manzar Nayeem) to submit that similarly circumstanced the said co-accused has been granted anticipatory bail by this Court. He has also submitted that lodging of the First Information Report itself has been challenged by one of the co-accused Gaurav



Jalan by filing Cr.W.J.C. No. 1983 of 2018. By an order dated 27.08.2018, passed in Cr.W,J,?C, No. 1983 of 2018, upon considering all the materials on record and nature of accusation, this Court has though allowed the investigating agency to proceed with the investigation, has restrained the police from taking any coercive action against the petitioner of that case. He also submits that the petitioner shall present himself before the police or the Court, as and when required for the purpose of investigation, enquiry or trial.

In view of the facts noted above, in my opinion, a case for grant of anticipatory bail is made out. This application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in Araria P.S. Case No.502 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as



and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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