

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24541 of 2018

Arising Out of PS.Case No. -481 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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1. Hari Gopal Singh S/o Late Kameshwar Prasad Singh, R/o Vill.- Naya Tola, P.S.- Budha Chak, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Ara Nagar P.S.Case no.481 of 2017 , registered for offences punishable under Sections 406, 409, 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

There is allegation against the petitioner and other accused persons of payment of excess amount in construction of Collectorate and also not deducting the royalty and cess.

Submission of the learned counsel for the petitioner is that with respect to payment of excess amount, the matter is pending before the Arbitration Tribunal and so far deduction of cess is concerned that will be paid at the time of final payment and the petitioner is Executive Engineer. Further submission is that other co-accused have been granted bail by this Court as well by the Co-ordinate Bench, vide order dated 11.5.2018 passed in Cr. Misc.



No.27896 of 2018, order dated 4.5.2018 passed in cr. Misc. No.24659 of 2018 and order dated 23.5.2018 passed in Cr. Misc. No.31530 of 2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Ara in connection with Ara Nagar P.S.Case No.481 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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