

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2639 of 2018

Arising Out of PS.Case No. -143 Year- 1991 Thana -SIKANDARA District- JAMUI

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Devanand @ Devand, S/o Late Sant Lal Yadav, R/o Mohalla- East Nandgola, P.S.- Malsalami, District- Patna, A/P- Posted as Assistant Engineer, N.H.- Division, Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 22-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Sikandra P.S.**

Case No. 143 of 2991 instituted for the offence under Sections 420, 465, 467, 468 and 409 of the Indian Penal Code.

It has been submitted that petitioner was Junior Engineer, Sikandra, in the District of Munger. This case has been filed on the basis of letter No. 993 dated 21.6.1991 issued by Administrator, AJAVINI, Administrator, Bihar State, Scheduled Caste Cooperative Development Corporation Ltd., to Police Officer Incharge, Sikandara, alleging that the then Executive Engineer and the Junior Engineer (petitioner) made irregular payment of Rs.80,000/- to the Contractor and entrusted work of Sanitary fitting and Electrification of Hostel at Sikandra but the work of only fifteen thousand rupees was done by the contractor.



Learned counsel for the petitioner has pointed out Annexure-8 which is a letter of District Programme Officer wherein it is mentioned that work of Electrification and Sanitation etc. was completed in the aforesaid Hostel. The door and window etc. were damaged because of not proper upkeep.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Sikandra P.S. Case No. 143 of 1991**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-I, Jamui**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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