

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20488 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- GARMDAGA District- Kishanganj

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1. Raghunath Singh, age 63 Years S/o Late Chabila Singh, Perfect Construction Koi..Purba, P.S.- Baksar, District- Baksar.
 2. Munshi Shri Munj @ Munji Choudhary age 30 Years S/o Shashibhushan Choudhary, R/o Harpur, P.S.- Iradi, Distt.- Baksar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kanhaiya Prasad Singh, Sr. Adv. with Mr. Ranjan Kumar Srivastava, Adv.
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP 244

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-04-2018 Heard learned Senior Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Garbandanga P.S. Case No. 8 of 2018 for offences punishable under Sections 341, 323, 307, 332, 353, 504, 506 and 114 of the Indian Penal Code.

The prosecution case, as per the written report of Satish Kumar Singh, Junior Engineer, Rural Engineering Department, Dighalbank, Kishanganj, submitted to to Station House Officer, Garbandanga, Kishanganj, to the effect that on 20.10.2017 in compliance of the order of the Departmental Secretary, the informant went to make enquiry with regard to the



construction of bridge at Icchamari on Kankai River at 11.15 A.M. when petitioner no. 1 being the executing agent and his clerk, petitioner no. 2, protested against the inspection made, the informant, abused him and threw him in a ditch as a result the informant dashed with the iron rod causing serious injury to the informant. Somehow the informant managed to flee away from the place of occurrence.

Learned Senior Counsel for the petitioners submits that petitioner no. 1 is a proprietor of a Government registered construction company and in view of his highest bid, the petitioner was awarded the contract and consequently entered into an agreement with Rural Works Department for construction of RCC bridge over Kankai River situated at Hublidangi to Icchamari in the district of Kishanganj. Subsequently, the authorities submitted the test report in favour of the petitioners. The petitioners completed 58% construction of the bridge, but, the agreement amount was not paid. The informant being Junior Engineer illegally demanded 30% of the agreement amount from the petitioners for which the petitioners made complaint to the Executive Engineer, Superintendent Engineer and Chief Engineer of the Department on 19.12.2017 and 25.01.2018. It is further stated by learned senior counsel for the



petitioners that the accusation is not being corroborated by the medical opinion, as the injury has been found superficial and simple in nature, caused by hard and blunt substance.

Considering nature of the accusation more over the same not being corroborated by the medical opinion, the prayer of the petitioners for grant of anticipatory bail is allowed, in the event of surrender/arrest of the petitioners, named above, before the Court below, within four weeks from today in connection with **Garbandanga P.S. Case No. 8 of 2018**. They shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **Sri D.K. Pandey, Judicial Magistrate, 1st Class, Kishanganj**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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