

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7814 of 2018

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

Bali Raj Singh @ Balraj Singh, Son of Late Vijay Bahadur Singh, Resident of Mohalla- New Jakkanpur, P.S.- Jakkanpur, District- Patna, at present posted as Accounts Officer, Rural Works Department, Sonapur Division, Sonapur, District- Chapra.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pranav Kumar Jha, Advocate
For the Opposite Party	:	Mr. Chandrasen Prasad Singh (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and learned counsel for the State.

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

Allegedly, the petitioner being Accounts Officer did not deduct the royalty amount to cause wrongful gain to co-accused.

Submission is of false implication and that the petitioner was Accounts Officer in the office of Flood Control Division Ara, in addition to said post he was holding the post of In-charge Accounts Officer in different offices of the different Division situated at Ara and Piro respectively. There is no allegation of any misappropriation of amount or committing



irregularities against this petitioner. Irregularity has been committed by the contractors and the Junior Engineers who were responsible for measurement of work. In this case co-accused Rahul Ojha, Junior Accounts Clerk has already been pre-arrest bail vide Cr. Misc. No. 58238 of 2017 by another coordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration as he has got no criminal antecedent.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that co-accused Rahul Ojha has been allowed pre-arrest bail and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara, in connection with Ara Town P.S. Case No. 481 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

Rajiv/-

(Jitendra Mohan Sharma, J.)

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