

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27896 of 2018

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

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1. Sanjay Kumar, Son of Ramjanam Singh, Resident of Kathrain (Bala Bigha), P.S.-Mehandiya, District-Arwal, at Present Posted as Junior Engineer at Kendriya Bhawan Pramandal, Raj Bhawan, P.S.-Sachiwalya, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate
Mr. Pranav Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Ara Town 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.

The petitioner happens to be Junior Engineer and the allegation alleged against the petitioner along with the collusion of accused persons named in the F.I.R. have withdrawn excess amount in the construction work of Ara Collectorate and five court building in the premises of Civil Court and the petitioner is not deducting royalty and cess from the bill of the contractor.



Submission of the learned counsel for the petitioner is that the excess payment is concerned, the matter is pending against the Arbitration Tribunal and so far royalty is concerned, the other co-accused have been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 04.05.2018 passed in Cr. Misc. No. 24659 of 2018. It is also submitted that the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, 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 order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S.Case No. 481 of 2017, subject to the condition that 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.

(Vinod Kumar Sinha, J)

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