

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29652 of 2018**

Arising Out of PS.Case No. -28 Year- 2018 Thana -MUSAHRI District- MUZAFFARPUR

=====

1. Vivekanand S/o Sri Prabhu Nath Sah, R/o Vill.- Rikhar, P.S.- Rikhar,  
District- Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arjun Kumar

For the Opposite Party/s : Mr. Dashrath Mehta.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**

**ORAL ORDER**

2      14-05-2018                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner seeks pre-arrest bail in connection with  
Mushari P.S. Case No.28 of 2018 registered for the offences under  
Sections 420, 409, 406 and 34 of I.P.C.

Accusation is that regarding some irregularities in  
construction of eight class rooms in Middle School,  
Raghunathpur, Mushari, Muzaffarpur, four persons, namely,  
Ahilya Devi, the Secretary, Abhay Kumar, Former Technical  
Supervisor, Viveka Nand, J.E. (petitioner) and Ram Lakhan Das,  
Headmaster, have been found guilty.

Learned counsel appearing on behalf of the petitioner  
submits that the petitioner was selected and appointed as Junior  
Engineer and he was posted on 16.11.2013 in the Head Quarter of



the Bihar Shiksha Priyojna (Sarva Shiksha Abhiyan), Muzaffarpur, and he started looking after the construction work of the class rooms only from 26.02.2014. It is further submitted that despite direction vide the office order as contained in Annexure-3 six Junior Engineers including the petitioner were not handed over charge and to this effect they complained to the District Programme Officer but their effort did not yield fruit. Later on petitioner has been falsely implicated in this case whereas the work was not done in his supervision rather it was done under the supervision of Dipendra Kumar Sah.

Having considered the facts and the circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within six weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Sub-Judge-VI-Cum-Additional C.J.M., Muzaffarpur, in Mushari P.S. Case No.28 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

**(Rajendra Kumar Mishra, J)**

AnilKrSinha/-

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