

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9551 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- GWALPARA District- Madhepura

1. Chkleshwar Kharwar Son of Late Bala Kharwar Assistant Engineer Irrigation Department Murliganj, Madhepura, Resident of- Co-operative Colony, Plot No- 401, P.S.+ District Bokaro (Jharkhand)
2. Abhay Kumar Singh Son of Kamleshwari Prasad Singh Junior Engineer, Irrigation Department, Murliganj, Madhepura, Resident of Village- Khawa, Police Station- Medni District- Lakhisarai.
3. Bhagwan Ray @ Bhagwan Rai @ Shree Bhagwan Rai Son of Late Sitaram Ray Executive Engineer (Retired), Irrigation Department, Murliganj, Madhepura, Resident of Village- Manpura, Police Station- Daryarpur, District- Saran.
4. Md. Saminul Haque @ Samimul Haque Son of Late Sirajul Haque Executive Engineer Irrigation Department, Murliganj, Madhepura, Resident of Village- Mohammadpur, P.S.-Mahendru, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9557 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- GWALPARA District- Madhepura

Lalan Prasad Singh Son of Late Maheshwar Prasad Singh, resident of Village and Post- Bhaddi Durgapur, P.S- Saur Bazar, District-Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 9551 of 2019)

For the Petitioner/s : Mr.Satish Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

(In CRIMINAL MISCELLANEOUS No. 9557 of 2019)

For the Petitioner/s : Mr.Satish Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 10-05-2019 Since the petitioners of both the applications
apprehend their arrest in connection with Gwalpara Police



Station Case No.118 of 2018 registered under Sections 406, 409 and 420 of the Indian Penal Code, therefore, both the applications have been heard together and are being disposed of by this common order.

The accusation is that in course of inquiry, it was detected that in extension, renovation and modernization of East Koshi Canal, the materials including the cement, which were used, were not good and proper and several irregularities were committed in payment. During that period, the petitioners of both the applications were officers of the Irrigation Department of District-Madhepura, through which the canal also passes.

Submission is that the petitioner nos.3 and 4, namely, Bhagwan Ray alias Bhagwan Rai alias Shree Bhagwan Rai and Md. Saminul Haque alias Samimul Haque, of Criminal Misc. No.9551 of 2019, were posted at Irrigation Department, and have now retired from service and others were posted in the Irrigation Department, Murliganj in District-Madhepura. Only vague allegation has been made against the petitioners of both the applications and in other similar case, Parsuram Thakur has already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 18.02.2019 passed in Criminal Misc. No.9294 of 2019 in connection with Araria P.S. Case



No.502 of 2018. The petitioners of both the applications have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, of both the applications, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, First Class, Udakishunganj, Madhepura, in connection with Gwalpara Police Station Case No.118 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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