

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8999 of 2019

Arising Out of PS. Case No.-502 Year-2018 Thana- ARARIA District- Araria

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DHANANJAY KUMAR, Son of Late Durga Prasad, Resident of Village -
Sudhi Tola Opp. Gandhi chowk, Sampatchak, P.S.-Sultanganj, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection
with Araria P.S. Case No. 502 of 2018 registered for the
offences punishable under Sections 406, 409 and 420/34 of the
Indian Penal Code.

Petitioner in the present case is an Assistant Engineer
working in Water Resources Department, Government of Bihar.
He has been made accused along with a large number of
Assistant Engineer, Executive Engineer as well as Junior
Engineer as also the Contractor on the basis of the report
submitted by flying squad. The report of the flying squad has
pointed out that the quality of the work done under the
agreement is not good as the use of cement is less than 10% to



42%. Learned counsel submits that apart from the criminal proceeding even departmental proceeding has been initiated against the petitioner and the other accused. The FIR is said to have been lodged after eight years after completion of the work. It is further submitted that the similarly situated accused have been granted privilege of anticipatory bail in Cr.Misc.No.73921/2018, 62847/2018 and 77742 of 2018 and 2039 of 2019. Learned counsel submits that the same privilege may be granted to the petitioner as his case stands on equal footing and he is ready to face trial subject to the condition which may be imposed by this Court.

Learned APP for the State is present and has opposed the prayer for bail, but admits that the similarly situated accused have been granted privilege of anticipatory bail by learned coordinate Benches of this Court.

In the given facts and circumstances of the case, in order to maintain uniformity in justice, this Court is extending the privilege of anticipatory bail to the petitioner subject to the conditions under Section 438(2) Cr.P.C. Let in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand)



with two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Araria in connection with
Araria P.S. Case No. 502 of 2018.

(Rajeev Ranjan Prasad, J)

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