

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24258 of 2019

Arising Out of PS. Case No.-37 Year-2016 Thana- ANTICHAK District- Bhagalpur

DEVENDRA KUMAR CHOUDHARY @ DEVENDRA CHOUDHARY S/o Karu Chaudhary Resident of Mohalla- Bank Colony, Adampur, P.S.- Adampur, District- Bhagalpur. At presently posted as Assistant Engineer, Command Area, Development Division, In the office of executive engineer, Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the State : Mr. Gulnar Begum, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 12-07-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner being the Assistant Engineer is apprehending his arrest in connection with Antichak P.S. Case No. 37 of 2016 registered for the offence punishable under Sections 409/420/467/468/471 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present petitioner has been made the victim of circumstances and the real culprits have not been taken to task. It is submitted that neither this petitioner has sanctioned the disbursement of the amount nor has he withdrawn a single penny. Rather it was the Junior Engineer who had sanctioned the money for the construction of the road and thereafter it was the completion certificate which led the petitioner to approve the same and it is for the said reason that the petitioner has been made an accused in this



case. It is further submitted that the co-accused Sumit Kumar Dev @ Sumit Dev, who was the person to have sanctioned the money, has since been extended the privilege of anticipatory bail in Cr. Misc. No. 9961 of 2017 vide order dated 18.03.2017. It is, thus, submitted that the petitioner who has been continuously performing his duty in his office and is not likely to abscond or tamper with the evidence, may also be extended the privilege of anticipatory bail.

Having considered the entire facts and circumstances of the case and that similarly situated co-accused has since been extended the privilege of pre-arrest bail, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M XIV, Bhagalpur, in connection with Antichak P.S. Case No. 37 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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