

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20990 of 2019

Arising Out of PS. Case No.-42 Year-2017 Thana- NAUBATPUR District- Patna

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UMESH PRASAD SINGH S/O- Budhdeo Prasad Singh, Junior Engineer,
R/m- Gosaitola, P.S.- Patliputra, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Naubatpur P.S. Case N0. 42 of 2017 (G.R. No. 623 of 2017), disclosing offences under Section 409 of the Indian Penal Code.

The petitioner, at the relevant point of time, was Junior Engineer. It is alleged in the First Information Report that the amount released for construction of a drain was misappropriated. The petitioner is said to have certified the quality of work. My attention has been drawn to an order dated 08.02.2019, passed by this Court in Cr. Misc. No. 80651 of 2018, whereby the Contractor, who had executed the work, has been allowed anticipatory bail on depositing the amount alleged to have been misappropriated.



Learned counsel for the petitioner has further submitted that there is no chance of the petitioner tampering with the evidence and fleeing from the course of investigation or trial.

Considering the facts and circumstances as noted above, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Danapur in Naubatpur P.S. Case No. 42 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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