

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.80313 of 2018

Arising Out of PS. Case No.-761 Year-2018 Thana- SASARAM NAGAR District- Rohtas

1. Sushil Kumar Singh, son of Sri Rajendra Singh, Resident of Mohalla- Maulabag, P.O. and P.S.- Nawada (Ara), District- Bhojpur, At present, Mohalla- Patel Nagar, Road No. 8, P.O. + P.S.- Shastrinagar, District- Patna.
2. Santosh Kumar, son of Sri Ram Sunder Rai, Resident of Village- Deshrajpur, P.O. and P.S.- Mahnar, District- Vaishali, At present, C/O Sudhanshu Kumar Mohalla- Kuraich, Gaurakshni, Ward No. 5 P.O. + P.S.- Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanhaiya Pandey
For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 28-01-2019 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sasaram (Model) Police Station Case No. 761 of 2018, disclosing offences under Sections 409, 420, 467, 468 and 34 of the Indian Penal Code.

It is alleged that payments against execution of certain schemes have been made to the contractor on the basis of bills signed by unauthorized persons.



Mr. Yogesh Chandra Verma, learned Senior Counsel, appearing on behalf of the petitioners, who were, at the relevant point of time, working as Assistant Engineer and Junior Engineer, submits that considering the nature of allegation and the fact that there is no allegation that the work assigned was not executed, a Co-ordinate Bench of this Court has granted anticipatory bail in favour of Manish Kumar, by an order dated 24.01.2019, passed in Criminal Misc. No. 67237 of 2018.

On perusal of an order dated 24.01.2019, I find substance in the submission so made on behalf of the petitioner.

Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram (Model) Police Station Case No. 761 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their



part to appear before the Court on two consecutive occasions,
their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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