

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1055 of 2019

Arising Out of PS. Case No.-153 Year-2018 Thana- BANMANKHI District- Purnia

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1. Sanjay Kumar and Anr S/o Late Brij Nandan Thakur R/o Beur, P.S.- Beur, District- Patna.
 2. Sudhir Kumar S/o Rajendra Prasad R/o Ramnagar, Nawada, P.S.- Nawada, District- Nawada.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-01-2019 Petitioners apprehend their arrest in connection with Banmankhi P.S. Case No. 153 of 2018 registered for the offences punishable under Sections 420, 406 and 409/34 of the Indian Penal Code.

Allegation as per FIR is of committing irregularity in connection with quality and low specification of structural work in project work of Eastern Koshi Canal and also there is allegation of embezzlement.

Submission of learned counsel for the petitioners is that petitioners were Accounts Officer and Divisional Accountant respectively and it was not the duty of the petitioners to look after what is the mistake in the measurement, etc. , rather the duty and responsibility was of the Junior



Engineer, Assistant Engineer and others to make verification of all the work carried out by the contractor.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let petitioners, above named, surrender within six weeks from the receipt of this order and on surrender they shall be released on provisional bail to the satisfaction of the court below till submission of charge sheet subject to the condition that they will co-operate in investigation. It is made clear that after investigation if any serious incriminating material has come against the petitioners and charge sheet is submitted, they have to surrender and make prayer for regular bail.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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