

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39284 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- CHANDRAMANDI District- Jamui

SURYA NARAIYAN JHA Son of Late Babu Mani Jha Resident of Village - Parsha, P.S.- Manjhaouni, Distt - Pashmi Champaran at present Junior Engineer Managing, Chakai, P.S.- Chakai, Distt - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 22-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 406, 409, 420/34 of the Indian Penal Code registered in connection with Chandramandih P.S. Case No. 04 of 2019.

3. It is submitted that the petitioner has been falsely implicated and as Junior Engineer he was only responsible for preparing the estimate for the construction of pucca road and for preparing measurement book. The entire project was executed and construction was made by the Committee headed by the Mukhiya and neither any finance nor any material were entrusted with the petitioner to attract the ingredients of the offences alleged against the petitioner. It is submitted that payment has been made in accordance with the measurement book and for any irregularity in the construction is answerable by the contractor or other persons. It is submitted that the petitioner is a Government official and there is no chance of absconding or tampering with the evidence. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri K. K. Dev, learned J.M. Ist Class, Jamui , in connection with Chandramandih P.S. Case No. 04 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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