

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38734 of 2019

Arising Out of PS. Case No.-103 Year-2018 Thana- CHANDI District- Nalanda

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1. HARENDRA RAM Son of Late Kamta Ram Resident of Village - Gilanichak, P.S.- Chandi, Dist. - Nalanda
 2. Pinku Kumar Son of Umakant Prasad Resident of Village - Gilanichak, P.S.- Chandi, Dist. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 26-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Candi P.S. Case No. 103 of 2018, disclosing offences under Sections 420, 120(B), 406 and 409 of the Indian Penal Code.

The petitioner, at the relevant point of time, was a member of the Committee for implementing the Chief Minister's *Saat Nishchay Yojna* in the Gram Panchayat. The water tower erected for supply of water to the villagers under the said Scheme could not survive and within a few days, the entire structure collapsed and fell down on the ground, leading to the lodging of the FIR for alleged irregularities committed in construction of the water tower.

Learned counsel for the petitioners has submitted that they did not have any specific role to play in construction of the water tower. He has drawn my attention to the statement



made in paragraph 13 of the application to the effect that the water tower has been re-constructed and water supply in the area has been restored.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned ACJM, 1st, Hilsa in connection with Chandi P.S.Case No. 103 of 2018, subject to the condition as 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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