

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64466 of 2018

Arising Out of PS. Case No.-183 Year-2018 Thana- SILAO District- Nalanda

Kamlesh Kumar Son of Sri Saryug Prasad, Resident of Village- Niyamat Nagar, P.S.- Silao, District- Nalanda at present posted as Junior Engineer, Nagar Panchayat, Silao, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420/409/34 IPC registered in connection with Silao P.S. Case No. 183 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with misappropriation of Government fund by installing boring by overlooking Government rules and for the benefit of private persons. It is submitted that the petitioner, as Junior Engineer, was not responsible for site selection, which was done at the level of Executive Officer and other officials of the Nagar Panchayat and the petitioner's job was only to take measurement of the work done by the Executive Officer. 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 learned CJM, Nalanda, in connection with Silao P.S. Case No. 183 of 2018, 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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