

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40499 of 2019
Arising Out of PS. Case No.-5 Year-2019 Thana- CHANDRAMANDI
District- Jamui

=====

SURYA NARAYAN JHA Son of Late Babu Mani Jha Resident of Village - Par
sha, P.S. Manjhaouni, District- Pashmi Champaran. at present Juusar
Engineer Managing, Chakai, P.S.- Chakai, District- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Satya Prakash Parasar, Advocate.

For the Opposite Party: Mr. Parmeshwar Mehta, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 20-11-2019

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. 05 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 is



accused in one prior case of similar nature namely Chandramandih P.S. Case No. 04 of 2019 in which he has already been granted anticipatory bail by this Court.

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. 05 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)

lbrar//-

U		T	
---	--	---	--

