

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75297 of 2018

Arising Out of PS. Case No.-502 Year-2018 Thana- ARARIA District- Araria

Vijay Kumar Pal, Aged about 39 years, Son of Kamta Prasad, Resident of village- Daruara, Post. Daruara, Police Station- Noorsarai, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 75950 of 2018

Arising Out of PS. Case No.-502 Year-2018 Thana- ARARIA District- Araria

Baikunth Prasad Chaudhary, Aged about 67 years, Son of Late Rameshwar Cahudhary, Resident of Village- V-550, Vidyapuri Lohiya Nagar, Kankarbag, Police Station- Kankarbagh, District- Patna, Ex. Executive Engineer, Irrigation Division Narpatganj (Araria).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 75297 of 2018)

For the Petitioner/s : Mr. Sanjeet Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

(In Criminal Miscellaneous No. 75950 of 2018)

For the Petitioner/s : Mr. Sanjeet Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-01-2019 Since both the cases arises out of same police case,

hence they are being taken up together and disposed of by this

common order.

This is an application for grant of anticipatory bail in
connection with Araria P.S. Case No. 502 of 2018, disclosing



offences under Sections 406, 409, 420/34 of the Indian Penal Code.

Petitioner in Cr. Misc. No. 75297 of 2018 is an Assistant Engineer and petitioner in Cr. Misc. No. 75950 of 2018 is a retired Executive Engineer and allegation against them is of committing irregularities in restoration project work of Eastern Koshi Canal System.

Submission of learned counsel for the petitioners is that a large number of persons have been made accused in this case and also there is delay in lodging the F.I.R. and considering the same several Benches of this Court have allowed the anticipatory bail applications of other accused persons i.e. vide order dated 04.01.2019 passed in Cr. Misc. No. 78109/2018, vide order dated 10.01.2019 passed in Cr. Misc. No. 77344/2018, vide order dated 17.01.2019 passed in Cr. Misc. No. 76208/2018, vide order dated 16.01.2019 passed in Cr. Misc. No. 76015/2018, vide order dated 14.12.2018 passed in Cr. Misc. No. 62847/2018.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the



court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Araria P.S. Case No. 502 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition to cooperate in investigation of the case and appear as and when required, otherwise their bail bonds shall be cancelled.

It is also made clear that if after investigation any serious incriminating material is found against any of the petitioner, the prosecution will be at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

Amjad/-

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