

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69361 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- BANMANKHI District-
Purnia

- =====
1. Rajeev Ranjan Prasad @ Rajiv Ranjan Prasad son of late Ram Chandra Prasad, resident of B-6, Kalyan Vihar, Ambedkar path, Police Station- Rukanpura, District- Patna.
 2. Premchand Ram @ Prem Chandra Ram son of Shri Ram Chandra Ram, resident of Village- Bikrampur, Police Station- Tajpur, Dist- Samastipur.
 3. Arbind Kumar Singh son of Late Madan Mohan Singh, resident of Village- Jarang Gotali, Police Station- Muzaffarpur, Dist- Muzaffarpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate.
Mr. Sanjeet Kumar, Advocate.
Miss. Preety Kunwar, Advocate.

For the Opposite Party: Mr. Parmeshwar Mehtha, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 420, 406, 409/34 of the Indian Penal Code registered in connection with Banmankhi P.S. Case No. 153 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the present case out of total four cases of similar nature instituted by the concerned department relating to the work of restoration of Eastern Koshi Canal. The petitioner nos. 1 and 3 are retired from the service and petitioner no. 2 is an Assistant Engineer. It is submitted that a large number of similarly situated persons who were also made accused have been granted anticipatory bail by this Court. The petitioners



claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Banmankhi P.S. Case No. 153 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 petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves 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 petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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