

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50073 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- NALANDA District- Nalanda

Ramnandan Singh, Gender-Male, aged about 63 years, Son of Sri Rameshwar Singh, resident of village- Ghosrawan, P.S.- Giriak in the district of Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sunil Kumar, Advocate
For the Opposite Party : Mr.Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 09-08-2019 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 and 188/34 of the Indian Penal Code registered in connection with Nalanda P.S. Case No. 87 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation that only 10% of the construction work of drainage has been completed even though the entire amount has been withdrawn in the year 2017 in connivance of the Mukhiya, Panchayat Secretary, Contractor and the Junior Engineer. It is submitted that in any event, work in question has since been completed. Co-accused Sangita Kumari (Junior Engineer) has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 06.08.2019 passed in Cr. Misc. No. 48944 of 2019. 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 four weeks from the date of communication of this order, let the above named petitioner be



released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Nalanda P.S. Case No. 87 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions –

(i) That the petitioner shall furnish a copy of the completion certificate under affidavit before the learned court below within a further period of two weeks.

(ii) That one of the bailors shall be a close relative of the petitioner.

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

(iv) That 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.

(iv) That the petitioner shall cooperate 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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned court below upon verification of the genuineness of the completion certificate in respect of the work in question within a period of four weeks after furnishing bail bonds. If found otherwise, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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