

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55652 of 2019

Arising Out of PS. Case No.-126 Year-2017 Thana- MADHUBANI TOWN District-
Madhubani

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GOPAL KRISHNA Son of Late Bhuneshwar Ram Resident of Krishna Kunj,
House No.0241899 at Beldanga near Dikshneshwar Kali Temple, Depupodha,
P.S. and P.O.-Dhadhaka Asansol, District-West Bardwan, State-West Bengal.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Vigilance Department through I.G. Vigilance North Bihar, P.O. and P.S-
Secretariat, District-Patna. Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Anand, Advocate
For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-11-2019 Heard the learned counsel for the petitioner and
the Vigilance Department.

The petitioner seeks bail in anticipation of his
arrest in connection with Madhubani Town P.S. Case No.
126 of 2017 dated 19.05.2017 instituted for the offences
under Sections 409, 467, 468 and 477A of the Indian Penal
Code read with Section 13(2) and 13(1) (D) of the
Prevention of Corruption Act.

The accusation in the FIR is that the Executive
Engineer, Building Construction Department, Madhubani
withdrew Rs. 15 lakhs in advance without undertaking repair
work of the non-residential buildings in Madhubani. The
allegation against the petitioner is of not having made
necessary enquiry. The petitioner was, for sometime, posted



as Engineer-in-Chief of south wing Building Construction Department and was in additional charge of north wing for about a month. Several other incumbents of the office were given the aforesaid charge prior to the petitioner. It has also been brought to the notice of this Court that some part of the embezzled amount has been recovered from the Executive Engineer who is the main accused of this case. Some of the other engineers who have been made accused in this case have been granted anticipatory bail by different benches of this Court. The name of the petitioner figured during the course of investigation.

Considering the aforestated facts, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance, North Bihar, Muzaffarpur in connection with Madhubani Town P.S. Case No. 126 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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