

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52435 of 2019**

Arising Out of PS. Case No.-125 Year-2015 Thana- DHAMDAHA District- Purnia

=====  
KOUSHAL YADAV Son of Rajendra Yadav Resident of Village- Haldi Bari,  
Post- Dibra, Police Station- B. Kothi, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====  
**Appearance :**

|                        |   |                                  |
|------------------------|---|----------------------------------|
| For the Petitioner     | : | Mr. N.K.Agrawal, Senior Advocate |
|                        |   | Mr. Vikram Singh, Advocate       |
|                        |   | Ms. Preety Kunwar, Advocate      |
| For the Opposite Party | : | Mr. R.B. Roy 'Raman', APP        |

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

**ORAL ORDER**

3      22-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dhamdaha P.S. Case No. 125 of 2015 for the offence punishable under Sections 406, 409, 467, 468 and 471 of the Indian Penal Code.

The petitioner was contractor for executing work of construction of a P.C.C. road. On the allegation that he failed to maintain the quality and get the compaction properly done and few other irregularities, First Information Report has been filed against the Assistant Engineer, Junior Engineer and this petitioner.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that even if the allegation in the First Information Report is treated to be correct, offence under



Section 406 or 409 of the Indian Penal Code cannot be made out. He has further submitted that till date there has been no progress in the investigation.

Considering the facts and circumstances, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea, in Dhamdaha P.S. Case No. 125 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Pawan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

