

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73921 of 2018

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

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1. Sri Kant Mandal Son of Ram Kishun Mandal, resident of Village- Barmasiya, Police Station- Katihar, District- Katihar, the then Assistant Engineer, Irrigation Division, Narpatganj.
 2. Rajanandan Kumar @ Rajnandan Kumar Son of Nawal Kishore Singh, resident of New Wiliyams Town, Police Station- Deoghar, District- Deoghar Jharkhand, the then Junior Engineer, Irrigation Division, Narpatganj.
 3. Raj Ballabh Yadav @ Raj Ballabh Yadav Son of Late Sitaram Yadav, resident of Village- Kumardih, Police Station- Makhdumpur, District- Jehanabad, at present resident of Yogipur, Post Office- Chitragupt Nagar, Police Station- Kankarbagh, District- Patna, the then Executive Engineer, Irrigation Division, Narpatganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 14-02-2019 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The petitioners are in custody in connection with
Araria P.S. Case No. 502 of 2018 for the offences under
Sections 406, 409, 420, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners have no criminal antecedent. In the instant case while
granting interim relief, the case diary was called for.

Petitioner no.3 is retired Executive Engineer. In the
instant case after execution of work, material was collected for



lab test and it is reported that there was deficit of cement was 10% which was less than the required. There is no other allegation which renders the case of this petitioner different from the case of petitioner no.1 and 2 who have been granted anticipatory bail by this Bench.

Considering the materials available in the case diary, let the petitioner no. 3 namely Raj Ballabh Yadav, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 502 of 2018, subject to the conditions as laid down under Section 438 Cr.P.C.

(Anil Kumar Upadhyay, J)

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