

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80054 of 2019

Arising Out of PS. Case No.-151 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

SUSHIL KUMAR PANDEY, Son of Late Ramanand Pandey, Resident of
Village - Brahma Sthan, P.S. - Bhagwanpur Hat, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420, 406
and 409/34 of the Indian Penal Code.

Petitioner was the Executive Engineer for the work of
construction of Panchayat Bhawan.

Submission is that Panchayat Bhawan was
constructed and handed over to the District Panchayat in the
year 2016. However, FIR has been lodged in the year 2019 with
allegation that quality of work was not up to mark. Further
submission is that co-accused Laleshwar Sao, who is the Junior
Engineer, has already been allowed anticipatory bail by a
Coordinate Bench of this Court vide order dated 22.10.2019
passed in Cr. Misc. No. 62865 of 2019. There is no material to



substantiate that the petitioner is going to tamper with the evidence or abscond the process of law.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Kochaikot Police Station Case No. 151 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the trial court.

(Birendra Kumar, J)

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