

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39597 of 2022

Arising Out of PS. Case No.-334 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Anil Kumar Singh Son of Late Naresh Prasad Singh Resident of Village -
Sadpur, P.S.- Banka, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-11-2022 Heard Mr. Sanjeev Ranjan learned counsel

appearing on behalf of the petitioner and learned Additional

Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 467, 468
and 420 of the Indian Penal Code.

According to the prosecution case, the petitioner
submitted challans in connection with the emulsion and
bitumen. Later on, it was found that challans furnished against
the supply of bitumen was unapproved which is violative of the
terms and conditions of the agreement.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that in pursuant to Annexure 10, an F.I.R. is instituted against the petitioner, namely, Mr. Anil Kumar Singh. He further submits that in view of the allegation as alleged in the F.I.R., the petitioner is ready to deposit Rs. 4,82,003/- in favour of Executive Engineer, Works Division Bhagalpur, NH Wing, Road Construction Department, Bhagalpur, without prejudice.

The learned Additional Public Prosecutor has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 bail on furnishing bail bond of Rs. 25,000/- (Twenty Five 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 Kotwali (Barari) P.S. Case No. 334 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on



his absence on two consecutive dates without sufficient reason,
his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

4. The petitioner shall deposit the amount of Rs. 4,82,003/- by way of Demand Draft in favour Executive Engineer, Works Department Bhagalpur, NH Wing, Road Construction Department, Bhagalpur at the time of furnishing bail bond. The demand draft handed over to representative of Road Construction Department.

(Rajesh Kumar Verma, J)

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