

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5896 of 2021

Arising Out of PS. Case No.-351 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

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DHARAMVIR KUMAR Son of Arun Prasad Resident of Village and P.O.
and P.S. - Tilauthu, District - Rohtas (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Leelawati Kumari
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 27-01-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State through video conferencing.

The petitioner apprehends his arrest for the

offences alleged under Sections 420, 409 and 34 of the Indian

Penal Code, registered in connection with Aurangabad Town

P.S.Case No. 351 of 2019.

As per allegation, the petitioner, who is Junior

Engineer, had fixed a hand-pump in the premises of ex-Mukhiya

Onkar Nath Singh in place of fixing it on public land as the

hand-pump was sanctioned for public utility.



The learned counsel for the petitioner after drawing my attention towards Annexure-2, which is a letter no. 2676 dated 05.12.2018, issued by the Executive Engineer to the District Programme Officer, Aurangabad, has stated that at the time of fixing of the hand-pump, the boundary wall was not there and after fixing of the hand-pump the same was erected clubbing that land into the premises of ex-Mukhiya after raising a boundary wall besides the hand-pump.

The letter no.2676 dated 05.12.2018 sent by the Executive Engineer to the District Programme Officer shows that the boundary wall was erected after fixing the hand-pump.

Considering the above facts and circumstances, let the petitioner above-named, in the event of her arrest or surrender within four weeks from the date of communication of this order, 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 learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 351 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided



hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

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