

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39287 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- JANKINAGAR District- Purnia

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ANOJ KUMAR SON OF RAMASHRAY RAJAK RESIDENT OF
VILLAGE- KATAHARI, PS- ASTHAWAN, DISTRICT- NALANDA AT
PRSENT POSTED AS JUNIOR ENGINEER AT FARBISGANJ BLOCK,
PS- FARBISGANJ, DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Priya Sharan Singh, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 420
of the Indian Penal Code.

3. The allegation against the petitioner is that he along
with other accused persons has committed breach of trust and
caused irregularity in completing the work under the Gali-Nali
Yojana. He has added measurement of the gali which was
already made through another scheme and as such due to his
measurement, misappropriation of Rs. 46,711.00/- has been
found.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. Petitioner is a Junior Engineer, who was entrusted with various development works under Gali Nali Yojna. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has no role in the present case as he only prepared the measurement book on the basis of work completed. It is further submitted that petitioner is ready to deposit Rs. 46,711/- in respect of 198.81 Q.M. for soil filling in the account of the concerned Department. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as petitioner is ready to pay Rs. 46,711/- to the concerned Department, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Janki Nagar P.S. Case No. 53 of 2023,



subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 46,711/- in the account of the concerned Department.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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