

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60056 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- ARA NAGAR District- Bhojpur

PRATEEK RAVIDHAR Son of Late Sri Krishna Muraridhar Resident of
Mohalla- Imlital, P.S and P.O Danapur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-02-2023 Heard Mr. Nand Kishore Prasad Sinha, learned
counsel for the petitioner as also Mr. Jitendra Kumar Singh,
learned APP who represents the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Ara Town P.S. Case No. 180 of 2022 under sections 409,
467, 420 and 471 of the Indian Penal Code.

As per the prosecution story, the informant alleged
that in pursuance of inquiry with regard to six projects, it was
found that the petitioner made recommendation for payment
which was in excess of the actual work done as per the
measurement book.

Learned counsel for the petitioner submits that as a



Junior Engineer, the role of the petitioner to measure the work done and accordingly submit report. On the said basis, matter is checked, cleared/disapproved by the Executive Engineer and finally payments are made. He has absolutely no role nor anything there is only allegation of siphoning of money.

The further submission is that he is ready to sit with the authorities and sort out the discrepancies that has come to their knowledge. The last submission is that the Executive Engineer, Mr. Devendra Prasad Chaurasia has since been granted the privilege of anticipatory vide Cr. Misc. No. 55747 of 2022.

Let the same be kept on record.

The learned APP opposes the prayer stating that the allegation is of siphoning of the money without the work being done.

This Court finds force in the submission put forward by the learned counsel for the petitioner, the work done was measured and accordingly the file went up the ladder whereafter payments were made. If there are/were discrepancies, the petitioner will be sitting with the authorities in the office of Municipal Commissioner, Municipal Corporation, Ara and will catch up with the documents and will



explain his position. Further, he will be cooperating in the investigation and will be presented himself as and when required by the police.

In the aforesaid facts and circumstances, this Court is inclined to grant him the privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara, Bhojpur, in connection with Ara Town P.S. Case No. 180 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the conditions as follows:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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