

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36593 of 2025

Arising Out of PS. Case No.-244 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Sunil Kumar son of Bhuwaneshwar Prasad @ Bhuwan Eswar Prasad R/o
Village- Balua, Kamarpur Ps -Mofasil Dist -Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nagmani Singh (Nagar Prabandhak) Darbhanga S/O-Late Sarjug Singh,
R/O- Sanjay Nagar , Road No.-5 , At present-Darbhangha Municipal
Corporation.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad, Advocate
For the Opposite Party/s : Mr.Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection
with L.N.M.U. P.S. Case No. 244 of 2019 instituted under
Sections 406, 420 of the Indian Penal Code lodged on
02.08.2019 by the informant, Nagmani Singh.

3. As per the prosecution story, the informant,
Municipal Commissioner, Darbhanga alleged that during joint
inspection, it was found that the beautification work of
Saweshwar Nath Temple pond has been compromised with and
not constructed as per the tender. This led to the FIR.

4. Learned counsel for the petitioner submits that he
is a Junior Engineer then posted at the place, the work was



completed but later damaged and the same has been reconstructed. He had absolutely no knowledge about lodging of the FIR, having been transferred. Further submission is that another co-accused Md. Shahnawaz Ansari has been granted anticipatory bail.

5. Learned APP opposes the prayer submitting that he has also played role in compromising with the construction work.

6. Though allegation is there, the claim is that it has been reconstructed, one of the co-accused has been extended relief, as recorded above, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with L.N.M.U. P.S. Case No. 244 of 2019 to the satisfaction of learned A.C.J.M.-Vth, Darbhanga subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

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

(iv) 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;

(v) 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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