

(2012) 02 JH CK 0144
In the Jharkhand High Court
Case No : B.A No. 9049 of 2011

Radhey Shyam Prasad

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 06-02-2012

Acts Referred:

Penal Code, 1860 (IPC) — Section 120(B), 409, 467, 468, 511
Prevention of Corruption Act, 1988 — Section 13(1), 7, 8

Citation : (2012) 02 JH CK 0144

Hon'ble Judges : Harish Chandra Mishra, J

Bench : Single Bench

Judgement

H.C. Mishra

1. All these three applications arise out of the same case and are being disposed of by this common order.
2. Heard learned counsel for the petitioners and the learned counsel for the State.
3. The petitioners have been made accused in Spl. Case No. 25 of 2002 corresponding to Chatra Sadar P.S Case No. 53 of 2002 for the offence under Sections 409, 511, 467, 468, 120-B of the Indian Penal Code & Sections 7/8/13(1)(d) of the Prevention of Corruption Act.
4. From the F.I.R, it appears that from a hotel at Gaya, some documents were recovered, from which, it transpired that the Executive Engineer and other officials were involved in making false measurement books and the bills for making payment to the contractors for the works done at Chatra. The bills were being prepared for the works which were either not done, or the works which were not satisfactorily done.
5. From the F.I.R itself, it is apparent that no payment was actually made, rather the bills were at the preparation stage itself, which were seized by the police. It also appears that the other co-accused persons have been granted bail. The

petitioner Radhey Shyam Prasad is the Junior Engineer and the other petitioners are the contractors.

6. In the facts of this case, particularly in view of the fact that the other co-accused persons have been granted bail, I am inclined to release the petitioners on bail. Accordingly, the petitioners, Radhey Shyam Prasad, Sanjay Kumar Singh and Subodh Kumar Singh are directed to be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance Ranchi, in Spl. Case No. 25 of 2002 corresponding to Chatra Sadar P.S Case No. 53 of 2002.