

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 6320 of 2021**

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Visheshwar Prasad @ Bisheshwar Prasad ... Petitioner  
Versus  
The State of Jharkhand ... Opposite Party  
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**CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner : Ms. Ritu Kumar, Advocate  
: Mr. Kunal Priyam, Advocate  
For the State : Mr. Veervijay Pradhan, Addl. P.P.  
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**Order No.02 Dated- 10.09.2021**

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Rajpur P.S. Case No.09 of 2010 (G.R. No. 144 of 2010) registered under sections 467/468/472/420 of the Indian Penal Code.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner was the Executive Engineer at the time of alleged occurrence and he along with others have embezzled the government money without completing the work under the schemes. It is further submitted that the allegations against the petitioner are all false and the petitioner is not named in the FIR. It is next submitted that the petitioner has retired from the post of Superintendent Engineer of Water Resource Department with effect from 31.05.2008 and presently he is very old and bed ridden. It is further submitted that at the particular time period, the petitioner was only posted for two months at Chatra on deputation charge of Executive Engineer of Water Resource Department and during the period of two months posting of the petitioner there, no payment was made under the signature of the

petitioner for any of the projects as stated in FIR. It is then submitted that the none of the alleged work was initiated by the order of the petitioner nor the same was completed under the supervision of the petitioner and all the work were initiated when petitioner was not posted at District-Chatra and all the work completed was completed under the supervision of other Executive Engineer. It is then submitted that the petitioner undertakes to deposit Rs. 2,70,000/- with the Deputy Commissioner, Chatra without prejudice to his defence in this case and also undertakes to cooperate with the investigation of the case. It is lastly submitted that the co-accused person has already been given the privilege of anticipatory bail by this Court vide order dated 17.06.2021 in A.B.A. No.2827 of 2021. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of eight weeks from the date of this order, he shall be released on bail on showing the proof of deposit of Rs. 2,70,000/- with the Deputy Commissioner, Chatra without prejudice to his defence in this case and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Chatra, in connection with Rajpur P.S. Case No.09 of 2010 (G.R. No. 144 of 2010) with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

**(Anil Kumar Choudhary, J.)**