

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26521 of 2014**

Arising Out of PS.Case No. -290 Year- 2010 Thana -BAHADURPUR District- DARBHANGA

Sanjeev Kumar, Son of Shri Kalicharan Das, Resident of Village-  
Nawabganj, Post Ali Nagar, P.S. Surajgarha, District-Lakhisarai.

... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate &  
Mr. Ataul Haque, Advocate

For the State : Mr. Nitya Nand (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

5      05-01-2015      Heard learned counsel for the petitioner and  
learned counsel for the State.

The petitioner apprehending his arrest in connection with Bahadurpur P.S. Case No. 290 of 2010 registered for the offences alleged under Sections 468, 420, 409 of the Indian Penal Code, seeks privilege of pre arrest bail.

Allegedly, after tampering in letter no. 435 dated 04.03.2009 at the place of posting, the petitioner joined at Flood Control Division, Darbhanga, though he was posted at Flood Control Division, Khagaria and in that way he received salary after making forgery.

Submission at the bar for pre arrest bail is that the name of the petitioner is at serial no. 6 and there appears no tampering up till now. During investigation, it has not come as to how the petitioner tampered from Annexure attached with

the First Information Report. It reveals that the petitioner was posted at Flood Control Division, Darbhanga. There was no motive and after performing his duty the petitioner has received the salary. No original copy has been filed to compare the Annexure attached with First Information Report and as such prima facie the petitioner deserves sympathetic consideration. The I.O. has also not compared the same with the original copy and without any proper investigation warrant and process have been issued.

Learned A.P.P. fairly submits that it is a case of mis-representation.

In the facts and circumstances as stated above, as with the First Information Report, no original copy has been attached to show that the petitioner has tampered his place of posting and as such the above named petitioner in case of surrender or arrest before the court below within one month from the date of communication of this order shall be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 290 of 2010 with condition as laid down under Section 438(2) Cr.P.C.

P.K./-

**(Jitendra Mohan Sharma, J)**

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