



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6752 of 2015

Arising Out of PS.Case No. -133 Year- 2014 Thana -DULHIN BAZAR District- PATNA

=====

Jitendra Kumar Son of Late Ramjee Paswan Resident of Mansoor Nagar,
Badi Pahadi, P.S.- Sohsarai, District – Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dhirendra Kumar Gupta, Advocate.

For the Opposite Party : Mr. Anant Kumar (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 21-05-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 477 (A), 409, 436, 120 (B) and 201/34 of the I.P.C.

The petitioner being Nazir in the Dulhin Bazar Block Office was put under suspension and he was facing disciplinary proceeding with allegation of financial embezzlement and he was suspected to have committed arson in the office to destroy the evidence of his previous misconduct. The Anchal Guard constable Dinesh Yadav had seen the petitioner and others near the Anchal

Office along with a container of one litre.

Submission is of false implication and that there is no evidence to substantiate that the petitioner has committed the alleged act. Besides suspicion there is nothing and he has got no criminal antecedent. Witness Rambali Prasad in paragraph-8 of the case diary has stated that he has locked the Office and has handed over key to Sarban Kumar and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the key of Almirah from which the documents have been burnt was with the petitioner and he has not handed over the charge of that key and he was seen at the time of occurrence at the place and as such he does not deserve bail.

Considering that the petitioner was seen at the place of occurrence and the documents which have been burnt were allegedly related with the financial embezzlement done by the petitioner and as such finding it not a fit case for pre-arrest bail, this Court is not inclined to enlarge the petitioner on anticipatory bail and accordingly his such prayer stands rejected in connection with Dulhin Bazar P.S. Case No. 133 of 2014 pending in the court of A.C.J.M. Danapur.

However, in case and if so advised the petitioner

surrenders and seeks regular bail then his prayer for regular bail shall be considered on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--