

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23258 of 2015

Arising Out of PS.Case No. -308 Year- 2014 Thana -BANIAPUR District- SARAN

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Shyamji Kumar Verma, Son of Late Shivendra Nath Verma, resident of
East Dahiyawa, Bulanbari Garh, P.S.- Town Chapra, District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Satyabir Bharti, Advocate
Mr. Alok Chandra, Advocate
For the S t a t e : Mr. Nawal Kishore Prasad(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 01-12-2015 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The Block Development Officer, Baniyapur Block,
District-Saran, namely, Shri Deepak Kumar Singh, is present
before this Court in pursuance of the direction of this Court
issued earlier. Yesterday, the matter was called out when it was
submitted that a volume of papers and register had been
produced before him and the same were being received at his
end and, therefore, the matter may be adjourned for the day.
Today, the petitioner has filed a supplementary affidavit through
which he has brought on record a list of documents submitted
and placed before the B.D.O., on which he has endorsed his
signature.



Learned counsel appearing on behalf of the State submits that though substantial documents have been produced before the B.D.O., there are certain discrepancies in some of the registers and few of the documents are yet remained to be produced before him. The said items in which discrepancies have been found find place in Annexure 5 to the supplementary affidavit, filed today by the petitioner. He further submits that the petitioner may file other documents also which have at present escaped his notice, but the records in the B.D.O.'s Office may indicate towards the same, which may also be considered for being returned by the petitioner.

Considering the fact that now substantial portion of the documents have been returned by the petitioner, save and except the discrepancies as noted in Annexure 5, the interim order passed in favour of the petitioner stands confirmed.

Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra, in connection with Baniyapur P.S. Case No.308 of

2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that whatever discrepancies have been found and noted by the B.D.O. shall be substantiated and produced on day to day basis; beginning today itself and the entire process shall culminate by 28th December, 2015. In case the same is not done and the petitioner fails to co-operate with the administration, it shall be open for the opposite party to move this Court or the court below for appropriate modification of the order passed today.

With the aforementioned observations and directions, the application is allowed.

Let a copy of this order be handed over to the learned A.P.P. for onward communication of the order to the Block Development Officer, Beniyapur Block, District-Saran.

(Anjana Mishra, J)

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