

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3165 of 2016

Arising Out of PS.Case No. -25 Year- 2012 Thana -SINGHIYA District- SAMASTIPUR

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Md. Shakilur Rahman, Ex. B.D.O., Singhia S/o Samsul Haque, P.S.-
Singhia, Dist.- Samastipur at present Block Office Tariani, Dist.- Sheohar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Suresh Pd. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 10-02-2016 The matter has been listed under the heading ‘To Be
Mentioned’ at the instance of the petitioner for modification to the
extent that though the petitioner was granted provisional
anticipatory bail but the order reflects that the application was
disposed of. The same has been verified from the entry made by
the Court Master from the computer records and said order was
also recorded by the concerned Secretary. It appears that by
inadvertence, the application was disposed of, though, the
petitioner was granted provisional anticipatory bail.

In the circumstances, the order no.4 reads as follows:-

“Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 409 of the Indian Penal

Code.

The prosecution case is that the petitioner being the BDO of Singhia block failed to hand over the charge of cash-book to his successor.

It is submitted by learned counsel for the petitioner that now the charge has been handed over, statement to that effect has been made in para 2 of the supplementary affidavit which reads as follows:-

“That the petitioner has already handed over charge of Rokar-Bahi, Cash book etc. to the concern officer of Singhia Block at Samastipur.”

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Add. C.J.M., Rosera, Samastipur in connection with Singhia P.S. Case No. 25 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on submission of proof that the petitioner handed over the complete charge. If the petitioner fails

to submit proof of handing over the complete charge then the petitioner will surrender and pray for regular bail.”

The order dated 01.02.2016 stands modified to the extent as indicated above.

Let the initial order dated 01.02.2016 be off loaded from the website as well as from the internal database forthwith.

Henceforth, the office will not issue the certified copy of the of order no.4 dated 01.02.2016.

(Dinesh Kumar Singh, J)

Amrendra/-

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