

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19539 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -DARBHANGA District- DARBHANGA

Deepak Kumar, Son of Late Prameshwar Mallik, Resident of Mohalla-Subhankarpur Town, Police Station- Darbhanga, District- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh-1, Advocate
Mr. Sunil Kumar Karn, Advocate

For the Opposite Party/s : Mr. Abhay Kumar- 1(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 02-08-2016 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Town P.S. Case No.39 of 2016 for allegedly having committed the offence under Sections 406, 408, 468 and 471 of the Indian Penal Code.

The allegation against the petitioner, who is presently posted as an Assistant at Ghanshyampur Block in the district of Darbhanga, is that while he was posted at Darbhanga Collectorate, there were certain manipulations in the records, which had been in his possession. Learned counsel for the petitioner submits that the petitioner was posted in the Record Room during the period 16.8.2013 to 30.6.2014, whereafter he



was transferred to Ghanshyampur Block where he is functioning till date. Learned counsel further submits that the certified copy of the *Khatiyan* was issued, for the first time, during his period on 3.2.2014 wherein no such entry was said to have been made. He handed over charge of the office on 30.6.2014. It is further submitted that certified copy of the *Khatiyan* was subsequently issued on 20.1.2015, which indicated certain further entries, thus suggesting manipulations in the original records. It is on account of such entry having been made, that the petitioner is suspected to have been party to such manipulations.

Learned counsel appearing on behalf of the petitioner further submits that actually three other Assistants posted in the Record room at Darbhanga have been issued show cause notice with regard to the present manipulations in the record, but this petitioner has not been asked to show cause in any manner. Learned counsel submits that if at all any manipulation was made, it was not at the hands of the petitioner but by others as the petitioner had already left the office at Darbhanga on 30.6.2014.

Considering the aforementioned facts and circumstances and that the petitioner is a responsible

Government servant and is still functioning in the office, 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 ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, in connection with Town P.S. Case No.39 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is, however, made clear that the petitioner shall make himself available at all times for further investigation and be present to receive the chargesheet, as and when the same is submitted.

(Anjana Mishra, J)

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