

Arising Out of PS.Case No. -160 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

.... Petitioner

The State of Bihar

Appearance :

For the Opposite Party/s : Mr. Ram Naresh Roy(App)

The petitioner at the relevant point of time was posted as Clerk in the office of the District Transport Officer, Aurangabad. The District Transport Officer, Aurangabad is the informant of the case. There are three allegations against him. It has, firstly, been alleged that the petitioner had in his handwriting faked the signature of the District Transport Officer on a licence, required to



be issued for running petrol pump outlet. It is secondly alleged against him that he raised a demand for payment of road tax with respect to a particular vehicle, less than the required amount. Thirdly, it is alleged that the register, which he maintained, was found to be torn.

Learned Senior counsel, appearing on behalf of the petitioner, submits that the petitioner had handed over the charge on 18.3.2015 and the First Information Report came to be instituted more than one month thereafter on 20.4.2015. He has drawn my attention to the part of the First Information Report, where the petitioner is alleged to have in his handwriting, faked the signature of the District Transport Officer. He submits that as per the First Information Report itself the informant cut the fake signature allegedly put by the petitioner making it illegible and thereafter he (the informant) put his own signature. Referring to the said part of the F.I.R. he submits that the signature allegedly put by the petitioner is not visible and it cannot be said that the petitioner had faked the signature of the District Transport Officer. With respect to the second allegation, learned Senior counsel has referred to Annexure 2 to the supplementary affidavit filed on behalf of the petitioner, which contains the details of the charge handed over by the petitioner to his successor, from which it

appears that the petitioner was not having the charge of the vehicles having registration number of BR26H series.

Considering the aforesaid submissions and the fact that there is no chance of the petitioner fleeing from the course of justice, he being a Government servant, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 Chief Judicial Magistrate, Aurangabad in Aurangabad (Town) P.S.Case No. 160/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

U			
---	--	--	--