

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41588 of 2016

Arising Out of PS.Case No. -449 Year- 2016 Thana -MOTIHARI TOWN
District- EAST CHAMPARAN(MOTIHARI)

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Md. Firoz, son of Md. Allauddin, Resident of Village-Brahmpur, P.O. &
P.S.- Brahmpur, District Buxar, at Present Posted as Superintendent,
Remand Home, Motihari, East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 25-10-2016 Heard Mr. Rakesh Kumar Singh, learned Advocate,

who submits that he is appearing on instructions from Smt.

Poonam Singh and Mr. Shantanu Singh, learned counsel for

the petitioner. Heard also the learned counsel appearing on

behalf of the State.

The petitioner is apprehending his arrest in

connection with Motihari Town P.S. Case No.449 of 2016 for

allegedly having committed the offence under Sections 221,

222 and 223 of the Indian Penal Code.

The allegation against the petitioner, who is the

Superintendent of Remand Home, Motihari, is that he used to

set free the children from Remand Home.

It is submitted that in pursuance of the report from the Deputy Director, Child Welfare Department, the present prosecution against the petitioner was lodged. Learned counsel for the petitioner further submits that, in fact, the present case is wholly misconceived and no offence is made out. At best, the petitioner can be held liable for dereliction of duty and can be proceeded departmentally.

In view of such facts and circumstances and that the petitioner is a responsible Government servant and functioning in his office and undertakes to co-operate with the investigation, 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, Motihari, in connection with Motihari Town P.S. Case No.449 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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