

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2853 of 2016

Arising Out of PS.Case No. -247 Year- 2015 Thana -ARARIA District- ARARIA

Ashok Kumar Yadav @ Ashok Kr. Yadav, S/o Chandi Prasad Yadav,
resident of Village- Garahgama P.S.- Narpatganj, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Durgesh Nandan, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 13-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Araria P.S. Case No. 247 of 2015 registered under Sections
420, 467, 468, 471 and 120-B read with 34 of the Indian Penal
Code.

It has been contended by the learned counsel for the
petitioner that the petitioner is neither named in the FIR nor he
was custodian of the register in question. The irregularity, if any,
was committed by the accused Bimal Kishore Mallick, a clerk in
the office of the District Education Officer, Araria and the

petitioner is being unnecessarily harassed in the case. It has further been contended that the statement of the accused Bimal Kishore Mallick had also been recorded by the police, but he had not attributed any role of the petitioner in the alleged irregularity in maintenance of the register.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the nature of the offence, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 247 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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