

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4366 of 2016

Arising Out of PS.Case No. -383 Year- 2015 Thana -KOTWALI District- PATNA

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SHRI JYUT PRASAD @ JYUT KUMAR

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Dr.Indiwar Kumari (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 22-04-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections
379/120B/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the entire
allegation against the petitioner is false and misconceived as he
has never been the custodian of the files which are alleged to have
been in his possession and were denied access by the Vigilance
Officers who were investigating case No. 54 of 2010. It is further
submitted that the alleged file had been in the custody of e-
Governance Cell of the Patna Municipal Corporation and that
some files were stolen away which had been given charge to the
petitioner and others.

Learned counsel for the petitioner submits that it is in this

context that the Court has been pleased to extend the privilege of anticipatory bail to co-accused Umesh Kumar after perusal of the case diary.

Learned counsel for the State after perusal of the case diary submits that in paragraph-5 of the case diary it has come that file was in fact kept in the e-governance cell and not with the present petitioner.

Considering the aforesaid facts and circumstances and also on account of the fact that the co-accused Umesh Kumar has been granted bail vide order dated 19.01.2016 and the petitioner's case stands on similar footing, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 383 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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