

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9059 of 2016

Arising Out of PS.Case No. -455 Year- 2007 Thana -PURNEA SADAR District- PURNIA

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1. Baban Ram, Son of late Budhna Ram, Village- Punjabi Colony,
Chitkohara, Post Office- Anisabad, Patna- 800002.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Sinha

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420,467,468,471,406 and 120B of the Indian Penal Code.

The prosecution case is that several persons were illegally appointed as Jute Extension Supervisor by the Deputy Director, Agriculture, Samastipur. The appointments were made in the districts of Purnea and Katihar, which are alleged to have been approved by the Joint Director, Agriculture, Purnea. The petitioner was posted as Joint Director, Agriculture, Purnea.

It is submitted by the learned counsel for the petitioner that the services of the alleged appointees were subsequently terminated, some of such termination orders were was challenged in C.W.J.C. No. 3861 of 2003

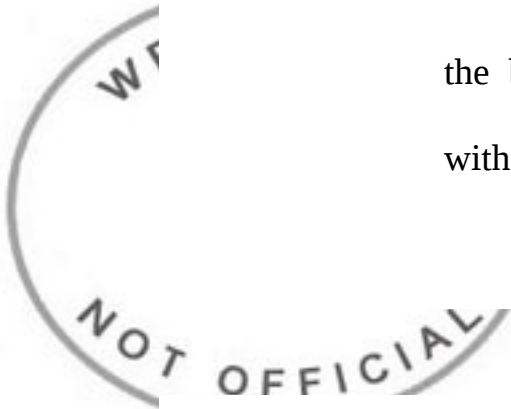


and vide order dated 15.2.2007, the order of termination was quashed and the respondents were directed to reinstate all such persons. The Department preferred L.P.A. No. 578 of 2008 and the same also stood dismissed on 17.2.2014. It is further submitted that though the approval of such appointments were made from the office of the Joint Director, Agriculture, Purnea but actually signature was made by the Head Clerk and keeping in view the fact that though the services of several persons were terminated but subsequently they were reinstated in pursuance to the order passed in the writ application, others have been granted anticipatory bail vide Cr. Misc. Nos. 6069 of 2012 and 34884 of 2014. The petitioner retired from service in 1998.

Considering the fact that the case was registered in 2007, this court was not inclined to interfere in the matter but keeping in view of the fact that the petitioner retired in 1998, after several years of retirement of the petitioner the FIR was lodged and other accused persons have been granted bail by this court, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea in connection with

Purnea Sadar P.S. Case No.455 of 2007 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the petitioner defaults without any reasonable cause on three consecutive occasions.



(Dinesh Kumar Singh, J)

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