

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26619 of 2016

Arising Out of PS.Case No. -257 Year- 2015 Thana -NANHPUR District- SITAMARHI

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1. Jaki Ahmed S/o Late Shafi Ahmed R/o Village- Sharifpur, P.S.- Nanpur,
District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Harsh Anuj

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 12-08-2016 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
323/379/420/452/406/467/468/120(B)/506/504 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the petitioner
was functioning a Revenue Clerk, in the Anchal Office. It is
submitted that the allegation against him is that he had issued
Basgit Parcha in case No. 3 of 2008-09 in favour of one Shamshad
Siddiqi and had created Jamabandi in his name by manipulating
revenue records in connivance with one Neyaz Ahmed. Learned
counsel for the petitioner submits that the petitioner has since been

superannuated and for an occurrence alleged to have committed in the year 2007-008, the present complainant case has been filed in the year 2015 and no plausible explanation has been offered for the delay in filing the same. It is further submitted that if, at all, there was any discrepancy in the records of the Government, it was open to the informant, to approach the Court of civil jurisdiction for seeking appropriate relief and the case against the petitioner is wholly misconceived.

Considering the facts and circumstances of the case and that there is a substantial delay in lodging of the complaint petition and furthermore because the petitioner has since been superannuated and is not having any nexus to the case which would lead to the tampering of the evidence, 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 Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Nanpur P.S. Case No. 257/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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