

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1238 of 2016

Arising Out of PS.Case No. -544 Year- 2015 Thana -KOTWALI District- PATNA

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Pramod Kunwar Son of Late Rajendra Kunwar, Resident of Village -
Sirkohiyan, P.S. Sariya, district - Muzaffarpur, presently serving as Senior
Rajbhasha, Cabinet Secretariat (Rajbhasha) Bihar, Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nikunj Shekhar

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 16-02-2016 Heard learned counsel for the petitioner and learned
Addl. Public Prosecutor.

The petitioner, apprehending his arrest in Kotwali P.S.
Case no. 544 of 2015 registered for the offence under Sections
419, 420, 465, 468 & 471 of the Indian Penal Code, has prayed for
grant of anticipatory bail.

It was submitted that the petitioner was posted as
Assistant in the cabinet Secretariat in the Rajbhasha Department
and merely on an allegation of one of the examiner that he has not
examined the answer-sheets, the present F.I.R. was lodged,
whereas, fact remains that the answer-sheets were forwarded to the
concerned person by the peon and it was also enquired. It has also
been argued that during investigation, till date no positive material
has been brought on record to suggest direct implication of the
petitioner.

In this case, earlier case diary was called for.

Keeping in view the nature of accusation as well as the fact that the petitioner is a government servant, the Court is of the opinion that unless and until any positive material is collected during investigation, the petitioner may be enlarged on bail in the event of his arrest or surrender.

Accordingly, let the petitioner namely Pramod Kunwar be enlarged on bail in the event of his arrest or surrender within a period of six 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 Chief Judicial Magistrate, Patna Sadar in connection with Kotwali P.S. Case No. 544 of 2015 subject to condition as laid down under Section 438 (2) of the Cr.P.C.

It is made clear that if after investigation, chargesheet is submitted against the petitioner, his bail-bond in the present case shall stand automatically cancelled and the petitioner will have to appear before the court below and make a prayer for regular bail.

The petition stands allowed.

(Rakesh Kumar, J.)

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