

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8098 of 2016

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

Dudheshwar Paswan, Son of Late Ramanand Paswan, Resident of Village-
Bhimar, P.S.- Jahanabad, District- Jahanabad. A/P Typist PRDA
(Dissolved) P.M.C. Patna, P.S. Kotwali, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate
For the Opposite Party/s : Mr. Ram Bachan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection
with Kotwali P.S. Case No. 383/15 for offences alleged under
Sections 379, 120-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the Office
Superintendent, Patna Municipal Corporation, Patna, is that
Vigilance P.S. Case No. 54/10 has been registered against the
employees of Patna Municipal Corporation for causing
defalcation of crores and departmental proceeding has also
been initiated against some of them. In order to save those
accused persons following employees, who are named in the
accused column of the First Information Report, have

intentionally removed the concerned files.

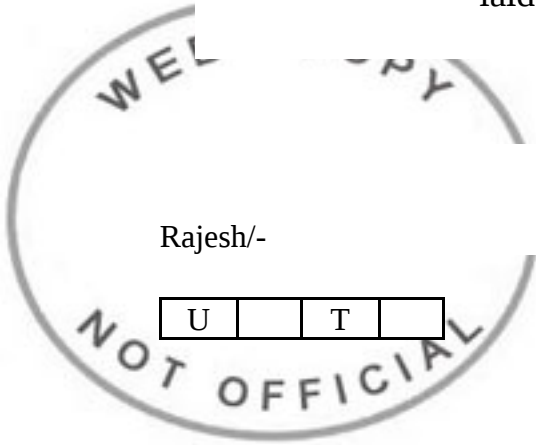
It has been submitted by the learned counsel for the petitioner that he is merely a Typist in the erstwhile Patna Regional Development Authority (now Patna Municipal Corporation) and he has no connection with the said files. It has also been submitted by the counsel for the petitioner that he has no criminal history, as is evident from paragraph 3 of this petition. Furthermore, counsel for the petitioner submits that one Umesh Kumar, the Assistant in the office, has already been granted the privilege of bail by the court below itself and the petitioner being a Typist and not the custodian of the files cannot be said to have caused disappearance of those files.

Learned APP for the State, however, submits that the petitioner is named in the First Information Report and opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail 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, in connection with



Kotwali P.S. Case No. 383/15, subject to the conditions as
laid down under Section 438(2) Cr.P.C.



(Nilu Agrawal, J.)

Rajesh/-

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