

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49305 of 2015

Arising out of PS.Case No. -209 Year- 2015 Thana -CHAPRA TOWN District- SARAN

Ganesh Dutt Ram, Son of Sri Singhasan Ram, resident of Village-
Dhanauri, Police Station- Awatarnagar, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Kumar Yadav, Advocate.

For the Opposite Party : Mr. Anish Chandra(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 09-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Chapra Sadar P.S. Case No. 209 of 2015 for the offences
instituted under Sections 409 and 201 of the IPC.

The prosecution story, in brief, is about missing of the
record of Title Suit No.150 of 1984 and Miscellaneous Case
No.14 of 1998 and on enquiry it was found that the petitioner is
responsible for that, which shows he is negligent and reluctant
towards discharging of his duty. Hence, a Criminal Case was
instituted against the petitioner, who is a retired clerk of the Civil
Court.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. The petitioner has been made accused in the present case due to mistake of fact. There is no substantive piece of evidence to show the participation of the petitioner in the alleged occurrence.

On behalf of the State it has been submitted that the petitioner is none else but the employee of the Civil Court who had tried to tamper with the records of the Civil Court.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Chapra Sadar P.S. Case No. 209/2015, pending in the court of the learned C.J.M., Saran at Chapra. Anyhow, if the petitioner surrenders in the court below the same shall be considered on its own merit without being prejudiced by this order.

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(Sudhir Singh, J)