

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13142 of 2017

Arising Out of PS.Case No. -952 Year- 2016 Thana -SAHARSA District- SAHARSA

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Pran Mohan Singh, son of late Haldhar Prasad Singh, the then Assistant Settlement Officer-cum-Revenue Officer, Saharsa, resident of vill-Dhourri, P.O- Rajpur, Police Station-Belhar & District-Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 18-03-2017 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner apprehends his arrest in connection with Saharsa Sadar P.S. Case No. 952 of 2016 instituted for the offences punishable under Sections 420, 419, 409, 467, 468, 471 and 120-B of the Indian Penal Code.

It has been submitted that the petitioner was an Assistant Settlement Officer and he retired from service in the year 2008. The instant F.I.R. has been lodged on the basis of the order passed by the State Chief Information Commissioner, in which it was reported that one of the records was not traced out. The State Chief Information Commissioner directed that the reply will be accepted only after lodging of the F.I.R. against the erring officer.



Learned counsel for the petitioner submits that he had no concern with the records which were disposed of by him in course of the proceeding. It is the record keeper, who is responsible to preserve the records. At the relevant time, co-accused Bhudeo Das was the record keeper and his prayer of anticipatory bail has been allowed vide order dated 28.02.2017 passed in Criminal Miscellaneous No. 9212 of 2017 by another coordinate Bench of this Court. The case of this petitioner stands on better footing as he after disposing of the case, left the record with the record keeper.

The learned APP, on the other hand, opposed the submission.

From perusal of written report, it appears that the present case has been lodged in the year 2016 i.e. after 8 years of the retirement of the petitioner. The record keeper has been allowed anticipatory bail vide order dated 28.02.2017 passed in Criminal Miscellaneous No. 9212 of 2017 by another coordinate Bench of this Court.

In the aforesaid facts and circumstances, the anticipatory bail prayer is allowed. The petitioner, above named, in the event of arrest / surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 952 of 2016, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

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