

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4867 of 2017

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

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Md. Riyazuddin Ahmad, Son of Late Sirazuddin Ahmad, Resident of Patna
Tent Gali, Khalifabag, Bhagalpur, P.S.- Kotwali, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 This is an application for grant of anticipatory bail
for offences punishable under Sections 420, 419, 409, 467, 468,
471 and 120B of the Indian Penal Code.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that petitioner has been made accused in this case on the allegation that record of the earlier case in a proceeding under Section 106 of the B. T. Act, in which an order has been passed on 27.7.1995, has not been sent and further allegation is that by interpolation in the order dated 27.7.1995, a fresh order has been created in the L.C.R. on 16.02.2008. However, petitioner was not the custodian of the aforesaid record and, secondly, he was not posted as Assistant Settlement Officer at that time, i.e., on 16.02.2008 rather he was posted as Assistant Settlement Officer on 14.08.2008. As such, he has no concern with the aforesaid record and further it is alleged that the record was sent to the Assistant Settlement Officer, i.e., the petitioner. As such, whatever allegation regarding



manipulation/interpolation done by the petitioner has come, is only on the basis of suspicion. Petitioner has now retired from his service for about 2 ½ years back and he has no concern with this case.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts stated above, which has not been controverted even by the State Counsel, let above named petitioner, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa, in connection with Saharsa P.S. Case no. 952 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. There are other conditions also that bailors should be local having sufficient immovable property within the jurisdiction of the court concerned and petitioner shall cooperate in the investigation and make himself available before the police as and when required.

(Vinod Kumar Sinha, J)

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