

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31800 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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Satya Narayan Paswan, Son of Late Bishnu Paswan, Resident of Village-
Riga, P.S. Riga, Dist- Sitamarhi, At present Anchal- Karamchari (Revenue)
Anchal- Hasanpur, Distt.- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party/s : Mr. Rajballabh Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Bibhutipur P.S. Case No. 38 of 2016 registered for the
offences punishable under Sections 420 and 406 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is facing prosecution in connection with Bibhutipur P.S.
Case No. 38 of 2016 for the offence alleged under Sections 420
and 406 IPC. The case seems to have been registered on the basis
of the Fardbeyan of the informant who is serving as a revenue
employee in the Block Office. It is alleged that one Raj Kumar
Mahto, who was visiting the Block Office and was doing some
social work for the general public, was found involved in issuing



rent receipts by making forged signature of this petitioner and the Circle Officer. It appears that in course of investigation, the name of this petitioner has transpired as being involved in connivance with said Sri Raj Kumar Mahto. The learned Sessions Judge has also observed that during the course of investigation, it has been found that accused Raj Kumar Mahto was working as a permanent employee as assistant of the petitioner who always remained in inebriated condition and all the concerned registers were in possession of Raj Kumar Mahto.

Learned APP vehemently opposes the prayer for anticipatory bail of the petitioner and submits that without connivance of this petitioner, the copies of the rent receipts can not go in the hand of the accused Raj Kumar Mahto, who is said to have put his signature in place of the present petitioner.

In the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. If the petitioner surrenders before the court below and prays for regular bail, the same shall be considered on the basis of the materials without being prejudiced by the fact that the bail application has been earlier rejected.

(Rajeev Ranjan Prasad, J)

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