

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45377 of 2017

Arising Out of PS.Case No. -219 Year- 2016 Thana -MOKAMAH District- PATNA

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Kaushlendra Kumar, aged about 50 years, S/o Sri Shiv Shankar Prasad,
Resident of Village- Sahari, P.S.- Ghoshwari, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends arrest in connection with

Mokama P.S. Case No. 219 of 2016 registered under Sections 420

and 409/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner

submits that petitioner is a Government employee serving as

Panchayat Secretary. On perusal of order dated 09.07.2008 passed

by the Principal Secretary, Home Department, Government of

Bihar, Annexure-2 to the application, it appears that the huge

quantity of prosecutions initiated against the Government

Officials/employees without application of mind and *mens rea*,

which affects the development.



Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Barh in connection with Mokama P.S. Case No. 219 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

Shailendra/-

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