

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36027 of 2017

Arising Out of PS.Case No. -319 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Amit Kumar Upadhyay, son of Sri Markanday Upadhyay, resident of
Village- Upadhyay Tola, P.S.- Chanpatiya, District- West Champaran,
Bettiah.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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with

Criminal Miscellaneous No.37754 of 2017

Arising Out of PS.Case No. -319 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

Shekhar Kumar Son of Sri Sachchida Nand Rai, R/o Village- Mirjapur,
P.S.- Janta Bazar, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.36027 of 2017)

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr.Adv.
	:	Mr. Vijay Anand, Adv.
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP.

(In Cr.Misc. No.37754 of 2017)

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr.Adv.
	:	Mr. Vijay Anand, Adv.
For the Opposite Party/s	:	Mr. Sri Brajendra Nath Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 17-10-2017 Heard learned counsel for the petitioners

and learned Additional Public Prosecutor for the State in both

the applications.

The petitioners are apprehending their



arrest in a case registered for the offences punishable under Sections 420,406,409,120(B) of the Indian Penal Code and Section 66 (C) of the I.T.Act.

The petitioners were working as Data Entry Operator in the District Transport Office, Motihari.

Allegation is that the petitioners and other Data Entry Operators tampered in the computer in the date of entry regarding the purchase of certain vehicles and shown lesser price to allow deposit of lesser taxes causing damage of Rs. 62,43,755/- to the Govt. Exchequer.

Submission of the learned counsel for the petitioners is that the taxes are deposited in the bank and Data Entry Operators simply enters on the basis of Challan. In fact the fault was of the dealers of the vehicle who have already deposited the loss amount.

After hearing the parties and considering the fact that there is no substantial material against the petitioners for the purpose of this allegation, hence let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand)each with two sureties of the like amount each to the satisfaction of



learned court below where the case is pending in connection with Motihari Town P.S.Case No.319 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

Nitesh/-

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