

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13567 of 2017

Arising Out of PS.Case No. -67 Year- 2016 Thana -PAUTHU District- AURANGABAD

=====

Neeraj Kumar Son of Sri Suresh Sharma Resident of Village- Seewan, Post-
Pauthu, P.S.- Pauthu, District- Aurangabad. Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Dr.Mrityunjaya Kr.Gautam, Advocate

For the Opposite Party/s : Mr. Smt Sangeeta Sharma, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 29-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Pauthu P.S. Case No. 67 of 2016 registered for the offences
punishable under Sections 406, 420 and 188 of the Indian Penal
Code, seeks the privilege of pre-arrest bail.

Allegedly, the petitioner and co-accused Rajendra
Sharma, in spite of oral and written request made, did not deposit
the record of Pauthu PACCS, though in this regard the Auditor has
also directed to make available the record. In spite of information
given through registered post the petitioner and other co-accused
did not hand over the documents for audit.

Submission is of false implication and that the
petitioner was always ready to submit the relevant documents



which are in custody of the petitioner on proper receipt but nobody is ready to give receipt, resulting, the petitioner is not handing over those documents. The audit has already been done and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, the petitioner is directed to submit all the relevant documents which are in his custody to the present Assistant Manager or to the Chairman after taking proper receipt thereof within 15 days then the petitioner, after showing the receipt regarding handing over the documents, in case of his arrest or surrender within one month from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Aurangabad in connection with Pauthu P.S. Case No. 67 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

Vats/-

U		T	
---	--	---	--

