

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14131 of 2017

Arising Out of PS.Case No. -503 Year- 2016 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Anirudh Pandey, son of late Achhewar Pandey, resident of Flat No.509,
Arjun Enclave, Purulia Main Road, Mango, PO + PS- Mango, Town-
Jamshedpur, District- Singhbhum East.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7/ 10-07-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Sadar P.S.
Case No.503 of 2016 instituted for the offence under Section(s)
406, 409, 420, 467, 468, 471, 120-B Indian Penal Code.

It has been submitted that the petitioner was Clerk
in Land Acquisition Office at Muzaffarpur. The petitioner joined
in the office of *Gandak* Project on 08.07.2013, after his transfer
from *Durgawati* Project, Sasaram. He took charge of 31 records
from one Pramod Kumar on 03.12.2013 in which File No.06/08-
09 was also handed over to him.

It has further been submitted that payment has been
shown to be made to Shanti Devi on 27.11.2013, whereas, he



took charge of the said record on 13.12.2013 and the said voucher does not bear any signature of the petitioner.

Counsel for the State has submitted that as per Annexure-2, the petitioner gave joining in the office of Gandak Project, Muzaffarpur, on 08.07.2013.

Counsel for the petitioner has drawn the attention of the Court towards Annexure-3 whereby charge of relevant case record of Shanti Devi along with other Mauzas was handed over by Pramod Kumar on 03.12.2013 to the petitioner. Counsel for the petitioner further submitted that there is no signature of the petitioner on the Award and the Award has been prepared on the basis of the application filed by Shanti Devi before the Land Acquisition Officer, *Gandak* Project, Muzaffarpur, upon which there is no recommendation of the petitioner. Payment was made on the basis of application of beneficiary-Shanti Devi after verification and on execution of necessary Affidavit and Indemnity Bond etc. as required before making payment.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Sadar P.S. Case No.503 of 2016, he shall be released on anticipatory bail on furnishing bail



bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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