

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61924 of 2018

Arising Out of PS. Case No.-117 Year-2018 Thana- OBRA District- Aurangabad

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Gopal Sao @ Gopal Prasad S/o Late Balkeshwar Sao, resident of Village-Charan, P.S.- Mali, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-10-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Obra P.S.Case No. 117 of 2018 registered under Sections 420 and 477A/34 of the Indian penal Code.

The petitioner, at the relevant point of time, was posted as a Revenue Clerk at Obra Anchal in the District of Aurangabad and had created *Jamabandi* in the name of one Mungeshwar Ram allegedly without any basis and without prior permission of his superiors. Certain complaint was made before the Human Rights Commission in this regard, which culminated into lodging of the F.I.R.

The petitioner had applied for anticipatory bail before the learned Sessions Judge, Aurangabad and this Court also, which



came to be rejected. He had approached the Supreme Court against the decision of this Court refusing to grant him anticipatory bail.

The Supreme Court, by order dated 30.07.2018 passed in SLP(Crl.) No(s). 5912 of 2018, while refusing to interfere with the order of this Court dated 04.07.2018 passed in Cr. Misc. No. 37310 of 2018 whereby his application for anticipatory bail was rejected, directed the petitioner to surrender within a week's time and on such surrender, the Supreme Court observed that if he files an application for bail, the same shall be considered expeditiously and in accordance with law.

Mr. Krishna Prasad Singh, learned senior counsel appearing on behalf of the petitioner, contends that as directed by the Apex Court, the petitioner surrendered before the court below on 06.08.2018. He submits that the petitioner has retired after attaining the age of superannuation. He contends that since the petitioner is getting pension after his retirement, there is no chance that the petitioner shall flee away from the course of investigation or trial.

Considering the above submission, this application is allowed. The petitioner, named above, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two



sureties of the like amount each to the satisfaction of the learned
S.D.J.M, Daudnagar, Aurangabad in connection with Obra P.S.
Case No. 117 of 2018.

(Chakradhari Sharan Singh, J)

sujit/-

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