

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1506 of 2018

Arising Out of PS. Case No.-127 Year-2017 Thana- SACHIWALAYA District- Patna

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1. Shri Ram Kumar, Son of Naresh Yadav, resident of Village- Pyarechak, P.O.- Tutturkhi, P.S.- Konch, Distt.- Gaya.
 2. Md. Samir, Son of Md. Isha, R/o Village- Rampur Yaddu, P.O.- Parrahi, P.S.- Sheohar, Dist.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Adv.
For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned Counsels for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 409/420 of the Indian Penal Code.

The prosecution case got initiated on the written report of the Executive Officer, Patna Municipal Corporation, to the effect that the petitioners were hired as Data Entry Operator by the Patna Municipal Corporation. It is alleged against them that they used to realize higher property tax i.e. Rs. 9012/-against the prescribed tax i.e. Rs. 4512/-.

It is submitted by learned counsel for the petitioners that



the petitioners used to print the token and the realization of tax amount is being made by another employee of Patna Municipal Corporation, namely, Ravi Ranjan and the receipt granted to the tax payers bears signature of Ravi Ranjan, but surprisingly he has not been made an accused in the present case. The petitioners never collected the tax amount, but under coercion they have been compelled to confess their guilt in order to save Ravi Ranjan. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by Mr. J. Thakur, learned APP for the State that accusation of realizing higher amount than the prescribed amount is against these petitioners also.

Considering the fact that the receipt bears the signature of Ravi Ranjan, who has not been made accused, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned ACJM, Patna, in



connection with Sachiwalay P.S. Case No.127/2017, subject to
the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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