

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15373 of 2017

Arising Out of PS.Case No. -474 Year- 2016 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

=====

Brahamdeo Yadav, Son of Bisan Prasad Yadav, Basic Health Worker,
Resident of Village- Mayurba at present Village- Machaha, P.O.-Kushaha,
Police Station- Triveniganj, District- Saharsa (Now Supaul).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 16-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bagaha P.S.**

Case No. 474 of 2016 instituted for the offence under Sections
420, 409, 467, 468 and 471 of the Indian Penal Code.

It has been submitted that petitioner is working since
1988 as Basic Health worker. In the year 2016 without holding
any enquiry, First Information Report has been lodged against the
petitioner alleging that his appointment letter dated 26.12.1988
was forged. It has further been submitted that petitioner is still
working and no departmental proceeding has ever been initiated
against him.



In the written report it is alleged that appointment letter of this petitioner issued vide Memo No. 2079 dated 20.10.2016 has been sent to CAS-cum-CMO, Vaishali, for verification who by his letter No. 2519 dated 2.12.2016 replied that appointment letter vide memo No. 1209 dated 26.12.1988 of this petitioner has not been issued from his office, and, thereafter, the First Information Report has been lodged.

In this manner from the written report itself it appears that without holding any enquiry, the First Information Report has been lodged, although the petitioner is working continuously since 1988.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Bagaha P.S. Case No. 474 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 learned **Additional Chief Judicial Magistrate, Bagaha (West Champaran)**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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.

S.Ali/-

(Sanjay Priya, J)

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

