

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46966 of 2018

Arising Out of PS. Case No.-116 Year-2018 Thana- KOTWALI District- Patna

Prabodh Jha Son of Yuge Jha residing at Alkapuri 12/6 Bypass, P.S. -
Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar School Exam Board, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birmani Kumar
For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-09-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kotwali (Patna) P.S. Case No. 116 of 2018, disclosing offences under Sections 417, 418, 419, 420, 471, 477A and 120B of the Indian Penal Code.

The petitioner was working as an assistant in Bihar School Examination Board. It seems that he was required to verify the result of a candidate and submit a report. The allegation against him is that without verification he recorded that GTR (General Tabulation Register) and OTR (Original Tabulation Register) were destroyed and submitted his report on the basis of information which he obtained from the concerned Teachers Training Institute, Kishanganj. It is alleged that he submitted the said report in



collusion fraudulently.

Learned counsel for the petitioner submits that there is no allegation that the OTR and GTR were available with the Board and were not destroyed. He also submits that since the petitioner is an employee of the Bihar School Examination Board, it is not likely that he would flee away from course of investigation or trial. Petitioner has no criminal antecedent except one registered as Kotwali (Patna) P.S. Case No. 688 of 2017 for the offences punishable under Sections 143, 188, 166, 353 and 504 of the Indian Penal Code.

Considering the above submission, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Patna in Kotwali (Patna) P.S. Case No. 116 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail



bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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