

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54464 of 2018

Arising Out of PS.Case No. -175 Year- 2018 Thana -BAUSI District- PURNIA

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Panchanand Roy, Son of Kalanand Roy, R/o Village- Malhariya, P.S.
Baisi, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD

ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner, in the present case, is seeking anticipatory
bail in connection with Baisi P.S. Case No. 175 of 2018,
registered for offences alleged under Sections 384 and 385 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the First
Information Report, in the present case, has been lodged by the
S.H.O. of Baisi Police Station on his own statement on
08.07.2018. It is submitted that the entire thrust of the allegations
of sending a wrong report with respect to Md. Munna is directed
against the then the S.H.O., Amod Kumar Yadav, but surprisingly,
the present S.H.O. has not impleaded said Amod Kumar Yadav as



an accused in the F.I.R.

It is submitted that on a bald allegation that the applicant had informed the S.H.O. that he paid Rs.3,000/- to this petitioner for verification of Passport and because of non-payment, a wrong report was submitted by the S.H.O.

Learned counsel submits that the petitioner is the Chaukidar and it was the the then S.H.O., Anmol Kumar Yadav who had sent the wrong information with regard to verification of Passport of Md. Munna. It is submitted that save and except the bald allegations are on the petitioner, there is no material to connect him with the allegations.

Learned A.P.P. for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein the allegation is that the petitioner had demanded Rs.3,000/- in bribe and was paid Rs.2,000/- for Passport verification but the fact that the Passport verification report was sent by the S.H.O., Anmol Kumar Yadav who has sent wrong information in his report that he has not been made accused, in the nature of the allegations and materials present on record, in case of his arrest or surrender within four weeks from today, let the petitioner, above named, be enlarged on bail on his furnishing bail



bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 175 of 2018, subject to the conditions U/S 438(2) Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha.

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