

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16644 of 2019

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Arising Out of PS. Case No.-239 Year-2018 Thana- Govindganj (Areraj) District-
East Champaran

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Virendra Pandey @ Virendra Kumar Pandey (M) aged about 48 years, S/o
Late Ramavtar Pandey, Resident of Village-Paharpur Ward No.14, P.S-
Paharpur, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shally Kumari

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection
with Govindganj (Areraj) P.S. Case No. 239 of 2018 registered
for the offences punishable under Sections 384 a and 420/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
F.I.R has been lodged at the instance of the Executive
Magistrate, Areraj who alleged that during the visit of the Sub-
Divisional Officer, Areraj it was found that three persons were
collecting money illegally in the name of vehicle parking tax on
the basis of parking tax receipts of Nagar Panchayat, Areraj. It
is alleged that when these persons were tried to be apprehended



they fled away leaving the said receipts. The receipts were containing the name of this petitioner but the same did not contain the signature of the persons who were collecting the tax.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner is a registered contractor who has got contract to collect taxes for the financial year 2018-19 and there is no reason for the petitioner to indulge in any illegal collection of parking amount. Learned counsel submits that it is difficult to understand why the petitioner against his own will use a forged receipt.

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

Considering the facts and circumstances of the case, wherein it is stated that the petitioner is a registered contractor who has got the 'Parwana' for collection of parking amount for the period 2018-19 and it is his case that he cannot use a forged receipt to his own detriment, let in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M 1st, Motihari in connection with Govindganj



(Areraj) P.S. Case No. 239 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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