

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34705 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- MOKAMAH District- Patna

VIJAY PASWAN Son of Late Chandradeep Paswan Resident of Mohalla -
Rukanpura, P.O. - B.V. College, P.S.- Rupaspur, District- Patna. Presently
Working as Assistant in the office of District Education Officer, Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vagisha Pragay
Mr. Dharmendra Kumar Raju
For the Opposite Party/s : Mr. Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 17-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mokama P.S. Case NO. 08 of 2019, disclosing offences under Section 409 of the Indian Penal Code.

The petitioner, at the relevant point of time, was working as a Clerk in the office of Sub-Divisional Education Officer, Barh. The only allegation against him is that he failed to hand over the charge of the documents relating to employment of teachers in Nagar Parishad, Mokama.

Learned counsel appearing on behalf of the petitioner submits that the First Information Report has been registered mechanically on the instruction of the District Programme Officer (Establishment), Patna through his letter dated 19.11.2018, addressed to all the Block



Education Officers in the district of Patna. She contends that at no point of time, it was pointed out to the petitioner that he had failed to hand over charge of folders relating to employment of the teachers.

Considering the nature of accusation, 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-First Class, Barh, in Mokama P.S. Case No. 08 of 2019, 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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