

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41048 of 2019

Arising Out of PS. Case No.-478 Year-2018 Thana- GHOSI District- Jehanabad

PRAMOD KUMAR MISHRA Son of Late Shiva Kumar Mishra Resident of Village - Maharaja Hatta, near Girls High School, Buxar, P.S. - Buxar, District - Buxar. At present C.O., posted at Tilauthu Block, P.S.-Tilauthu, District – Rohtas. ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Suraj Deo Singh, Advocate

For the Opposite Party : Mr.Zainul Abedin, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-11-2019 Heard learned counsel for the parties.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 420, 468,470,471 of the Indian Penal Code.

Petitioner while working as Circle Officer, without making physical verification, issued revenue receipts and land possession certificate (LPC) to one Anil Kumar which facilitated him to illegal withdrawal of compensation amount of Rs.1,24,76,200/- from the bank.

Learned counsel for the petitioner submits that it was the Circle Inspector and the Revenue Karamchari, who submitted wrong report in respect of LPC, for which departmental proceedings have already been initiated against them. He submits that the petitioner has committed no offence under sections 470/471 of the Indian Penal Code as there is no allegation against him that he made false document and used the same as genuine. Learned counsel also submits that for the same offence, two FIRs have been lodged, instant case being Ghosi Police Station Case No. 478 of 2018 dated 5.12.2018 has



already been quashed by a bench of this Court vide judgment dated 3.4.2019, passed in Cr.W.J.C.No. 407 of 2019.

In view of the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today, let the petitioner, mentioned above, 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 Additional Chief Judicial Magistrate-I, Jehanabad in Ghosi Police Station Case No. 478 of 2018, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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