

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47632 of 2019

Arising Out of PS. Case No.-112 Year-2018 Thana- SILAO District- Nalanda

SHAILESH KUMAR SINGH Son of Aditya Prasad Singh Resident of village- Sarsouli, P.S.- Jamhor, District- Aurangabad, presently posted as Circle Officer, Fatuha Circle, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Advocate
Mr.Indu Bhushan

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 31-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Silao P.S. Case No. 112 of 2018, disclosing offences under Sections 166, 167, 465, 466, 467, 468, 471 and 120B of the Indian Penal Code.

The petitioner, at the relevant point of time, was working as Circle Officer. Allegedly, he allowed mutation in favour of co-accused, ignoring the objection, which was filed on behalf of the informant. With such allegation, a complaint petition was filed, whereafter the present FIR has been registered under Section 156(3) of the Cr. P.C.

Learned counsel, appearing on behalf of the petitioner, has submitted that the petitioner's action in a proceeding under Bihar Land Mutation Act, 2011 has been alleged in the complaint petition to be deliberate. He submits that, in any event, since the petitioner is a public servant, there



is no likelihood of him fleeing from the course of investigation of the trial.

Considering the facts and circumstances of the case, 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 bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Silao P.S.Case No. 112 of 2018, subject to the condition 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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