

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 2256 of 2020**

Arising Out of PS. Case No.-63 Year-2019 Thana- SUPAUL District- Supaul

NAVIN KUMAR VERMA S/o Ram Govind Lal Das Resident of Ward No. 8,
Village- Kandaha Mahishi, P.S.- Mahishi, District- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends arrest in connection with Supaul Police Station (for brevity, *PS*) Case No 63 of 2019 instituted for the offence punishable under Section(s) 406, 409 of Indian Penal Code.

The petitioner retired as Clerk in the Office of the District Education Officer on 31.01.2018. Allegation made in the first information report is that he did not hand over the complete charge of records including his own service book, service book of some other employees and details of expenses incurred during the financial year, 2017-2018. Some other documents are also alleged to have not been handed over by the petitioner



at the time of his retirement. Petitioner's counsel has submitted that on the date of his retirement, i e, 31.01.2018, 253 documents have been handed over to the successor-in-office. For about a year, there is no demand made from the petitioner for any other document. Even the 253 documents, which were handed over by the petitioner, has been accepted by the successor-in-office without any objection. The instant prosecution has been lodged to make the petitioner an escape goat on account of certain documents which have been found missing and for which the officials, who continued in service are in fact liable. It is also submitted that the petitioner has served the Government with due diligence and till date, the petitioner has no criminal antecedent prior to the instant case.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Supaul in connection



with Supaul PS Case No 63 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

