

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80153 of 2019

Arising Out of PS. Case No.-526 Year-2018 Thana- KOTWALI District- Patna

VIKRAMADITYA JHA, aged about 50 years, Male, Son of Late Jay Nandan Jha, Resident of Village- Kashauli, P.S.- Kashauli, District- Madhubani, at present posted A.S.I. In the District of Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Nagendra Kumar Singh, Adv.

For the Opposite Party : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 08-01-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Kotwali P.S. Case No. 526 of 2018 registered under Sections 417, 418, 419, 420, 466, 467, 468, 477A, 477B and 120B of the Indian Penal Code.

The accusation is that on 28.06.2018, one application was filed by Lalan Kumar, under Right to Information Act, for obtaining the copy of Sanha No. 1989, dated 18.02.2015. The informant, Rama Shankar Singh, being the Station House Officer of Kotwali Police Station, Patna, deputed to Assistant Sub-Inspector of Police, Vikramaditya Jha, for enquiry and supply the aforesaid information. Accordingly, Assistant Sub-Inspector of Police, petitioner (Vikramaditya Jha), put up the station diary, dated 18.02.2015, before the Station House Officer



the entry of Sanha No. 1989, dated 18.02.2015, which, apparently, shows that last portion of entry with regard to missing of State Bank of India cheque no. 20170 of Lalan Kumar is added later on, which appears to be manipulation in the aforesaid Sanha entry. On suspicion, Manoj Kumar, who was deputed for presentation of the station diary, was called, but, he showed his ignorance. The preservation of the station was was in the duty of Literate Constable, Manoj Kumar, by whom on the application of Lalan Kumar forwarded through the Assistant Sub-Inspector of Police, Vikramaditya Jha (petitioner) before the Station House Officer. When, in the enquiry, Station House Officer told to Assistant Sub-Inspector of Police, Vikramaditya Jha about manipulation in the said Sanha entry and direction was given to report after enquiry, in spite of that, Assistant Sub-Inspector of Police, Vikramaditya Jha and Manoj Kumar, without proper enquiry, supplied the information through Police Station DR No. 1345, dated 30.06.2018, to the effect that in the year 2015, on 18.02.2018 entry regarding missing of cheque no. 20170 is made out, which creates serious doubt. Thereafter, Assistant Sub-Inspector of Police, Nagmani Bhaskaron of Gandhi Maidan Police Station, on 24.07.2018, in course of investigation of Gandhi Midan P.S. Case Nos. 150 of



2018 and 185 of 2018, registered under Section 379 of the Indian Penal Code made demand regarding Sanha entry no. 1989 of 2015. Later on, Deputy Superintendent of Police (Town) came at Kotwali Police Station and enquired about the aforesaid Sahna and it was detected that Sanha entry no. 1989, dated 18.02.2015, was registered at 19.00 o'clock in respect to information of Bidyanand Prasad about missing of mobile with sim no. 898612205 and Ram Niwash Choudhary, Assistant Sub-Inspector of Police, was deputed for enquiry of the aforesaid Sahna and at the end of the entry about missing of State Bank of India cheque no. 20170 was found added. Thereafter, second copy of the said Sanha was called from the office of the Deputy Superintendent of Police (Law & Order), Patna, and on perusal of the said Sanha entry, it appears that in the last line with regard to State Bank of India cheque no. 20170 of Lalan Kumar is not mentioned, as such, Lalan Kumar, in conspiracy of petitioner and Manoj Kumar, got entered the entry about missing of the State Bank of India cheque no. 20170 in Sanha entry no. 1989, dated 18.02.2015.

The learned counsel for the petitioner submits that in fact on the day of making the sanha entry, the petitioner (Vikramaditya Jha) was not posted there and he simply supplied



the information through the Station House Officer, in accordance with the entry made in the station diary.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Kotwali P.S. Case No. 526 of 2018 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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