

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77477 of 2019

Arising Out of PS. Case No.-293 Year-2017 Thana- BEGUSARAI TOWN District- Begusarai

Nand Kishore Pandit, Son of Late laldhari Pandit Clerk, Civil Surgeon office,
Beguswarai, R/o Rahamganj, P.O.- Lalbag, P.S.- Town, Distt.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Nagar P.S. Case no. 293 of 2017, registered under
Sections 409, 420, 467, 468 and 471 of the Indian Penal Code.

The accusation is that complainant/informant Dr.
Arvind Prasad Singh, being the social worker, came to know
about forged appointment of clerk in the office of Civil
Surgeon, Begusarai in collusion with Civil Surgeon, Begusarai
and Director in Chief (Administration) department of health
services, Bihar, Patna. Thereafter, he gave application before
the District Magistrate, Begusarai regarding illegal
appointment of Shivnandan Mahto and Nand Kishore Pandit
(Petitioner) then District Magistrate inquired the matter and



stopped the salary and gave direction for detailed inquiry, thereupon, in the detailed inquiry of District Treasury Officer, their appointments were found forged. Thereafter, District Magistrate ordered for their removal and realization of salary as paid to them.

Learned counsel for the petitioner submits that after investigation, the Police submitted Final Form, but differing with the Final Form, learned Chief Judicial Magistrate, Begusarai took cognizance of the offence punishable under Sections 409, 420, 467, 468 and 471 of the Indian Penal Code. Further submission is that after stopping the salary of the petitioner by the authorities, the petitioner preferred C.W.J.C. No. 11865 of 2014 under which direction was given for payment of salary to the petitioner on 20.12.2016, which would appear from Annexure-4 and on 26.02.2018, the services of the petitioner and two others were regularized vide order dated 26.02.2018 passed by the Director in Chief, Family Welfare, Health Services, Bihar, Patna (Annexure-6) to this petition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Nagar P.S. Case No. 293 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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