

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76528 of 2019

Arising Out of PS. Case No.-536 Year-2019 Thana- KOTWALI District- Patna

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YOGENDRA PRASAD PAL Son of Sri Shambhu Prasad Pal Resident of
Gopal Nagar, Inside of H.D.F.C. Bank, Khagaul Road, Phulwarisharif, Patna

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-02-2020 A Supplementary affidavit has been filed on behalf of
the petitioner.

Let the same be kept on record.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in a case
registered for the offence under sections 406 and 408 of the
Indian Penal Code.

As per allegation in the F.I.R., it is stated that the
petitioner, who was working as an Accountant in the Bihar
Museum was asked to submit the service books of fourteen
employees, however, he deposited the service books of only
eleven employees, while service books of three persons have not



been deposited by him.

It is submitted by learned counsel for the petitioner that it is the categorical assertion of the petitioner that the service books of those three employees were not given to him and in fact not even opened. In this respect, the attention of the Court is drawn to a reply given on an application under the Right to Information Act, which has been brought on record as Annexure-3 to the Supplementary Affidavit filed on behalf of the petitioner. From perusal of the said reply also, it transpires that the service books of two employees were not opened for the reason mentioned therein. It further transpires that to a categorical query with respect to question no.3, a vague reply has been given. It is further submitted that the petitioner has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above stated facts and circumstances of the case, the nature of allegations, the contents of the reply to the application under the Right to Information Act filed by the petitioner as also the petitioner having no criminal antecedent, the Court is inclined to enlarge the



petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Kotwali P.S. Case No.536 of 2019 is directed to be enlarged 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 learned C.J.M.-cum-A.C.J.M.-V, Patna, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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