

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31813 of 2020

Arising Out of PS. Case No.-111 Year-2019 Thana- SARE District- Nalanda

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Umesh Kumar Ranjan, aged about 47 years (Male), S/O Late Baleshwar Raman, Resident of Village - Hathder, P.S. - Gaurichak, District - Patna, At present - District Fisheries Officer cum Chief Executive Officer, Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. R K Verma, Sr. Advocate with Mr. Rajneesh, Advocate
For the State	:	Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 05-04-2021

Heard Mr. R K Verma, learned senior counsel along with Mr. Rajneesh, learned counsel for the petitioner and Mr. Dashrath Mehta, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Sare PS Case No. 111 of 2019 dated 19.11.2019, instituted under Sections 166/420/468/471/120B of the Indian Penal Code.

3. The allegation against the petitioner is that he being the District Fisheries Officer, Nalanda had made settlement of *jalkars* with the Society of which the informant was the President without there being actual meeting and the signature



also of the informant in the said meeting is said to have been forged and fabricated and further allegation is that settlement had been made in favour of dead persons.

4. Learned counsel for the petitioner submitted that the complaint was filed on 10.10.2019 and in paragraph no. 2 there is a blatant false statement made inasmuch as, it has been stated that the informant had received information that the *jalkars* in question were settled and was surprised as to know that the same was done when he was the President of the Society and no meeting was being held. Learned counsel submitted that the fact is that after the meeting the petitioner had sent a letter to the informant on 03.09.2019, i.e., after one month and four days of the meeting dated 29.07.2019, but prior to filing of the complaint case, which has not been disclosed but rather a completely contrary statement has been made. It was submitted that in the letter sent by the informant to the petitioner, the plea is that he was withdrawing his presence from that meeting which clearly implicates without any shade of doubt that he was present and now he was withdrawing his presence and the allegation is not that the signature on that proceeding was forged and fabricated. It was further submitted that the petitioner being a responsible government officer has also got clean antecedent.



5. Learned APP submitted that there were allegations against the petitioner but did not controvert materials which have been brought on record by way of an affidavit on behalf of the petitioner, with regard to contrary stand taken by the informant and suppression of relevant facts.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda in Sare PS Case No. 111 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further that one of the bailors shall be a close relative of the petitioner. The petitioner shall cooperate with the Court and the police/prosecution. Failure to cooperate shall lead to cancellation of his bail bonds.

7. It shall also be open for the prosecution to bring any violation of the foregoing conditions of bail by the petitioner, to the notice of the Court concerned, which shall take immediate action on the same after giving opportunity of hearing to the



petitioner.

8. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

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