

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32497 of 2020

Arising Out of PS. Case No.-294 Year-2019 Thana- ALAMNAGAR District- Madhepura

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Gauri Shankar Singh Son of Late Ram Sharan Prasad Singh resident of Village-Birma, P.S.-Amarpur, District-Banka, at present suspended Assistant Sub-Inspector, Police Station Writer, Alamnagar, P.S. Alamnagar, District-Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Anant Kumar 1, Adv.
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Alamnagar P.S. Case No.294 of 2019 dated 06.12.2019 instituted for the offences under Sections 420, 201, 120(B)/34 of the Indian Penal Code.

The allegation against the petitioner and others is of converting F.I.R. No. 264 of 2019 into another case with the same number but with the different informant.

Learned counsel for the petitioner has submitted that because of some inadvertence, the number of the F.I.R. got changed. There was no intention on the part of the



petitioner to have resorted to such act as it has benefited none. It has further been submitted that an inquiry has been conducted by the S.D.P.O. Udakishunganj, in which though the blame has been put partially on the petitioner but for all practical purposes, the petitioner has been made the scapegoat.

One of the accused persons of this case, namely, Rajesh Kumar has been granted anticipatory bail by a Bench of this Court vide order dated 16.06.2020 passed in Cr. Misc. No. 10278 of 2020.

It has been submitted on behalf of the petitioner that the First Information Report has been signed by the another officer and the petitioner has been made the victim of circumstances. It has also been submitted that no offence under Section 420 of the Indian Penal Code can at all be said to have been made out.

The petitioner, it appears, has also been departmentally proceeded against.

Considering the afore-stated facts, the petitioner, above named, is directed to be released on bail, in the event



of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Udakishunganj, Madhepura, in connection with Alamnagar P.S. Case No.294 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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