

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13136 of 2021

Arising Out of PS. Case No.-278 Year-2012 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SRI NOOR ALAM @ MD. NOOR ALAM S/O- Late Md. Gulam Mustafa
Tax Daroga Municipal Corporation, Muzaffarpur, R/O- Mohalla - Kedarnath
Road, P.S. - Nagar, Distt - Muzaffarpur.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Sri Amarnath Mishra Son of Late Ganesh Dutt Mishra the then Municipal
Commissioner, Municipal Corporation, Muzaffarpur. Resident of Village -
Nawalganj, PS. - Bhargawan, District - Arariya

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar
For the Opposite Party : Mr. Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 09-03-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Town P.S. Case No. 278 of 2012, registered for the offences punish-
able under Sections 409, 323, 504 and 506 of the Indian Penal Code.

The allegation against the present petitioner is that being
Tax Daroga, he recovered tax amount of Rs. 2,76,100/- from tax pay-
ers but he did not deposit it to the office of Municipal Corporation.

Learned counsel for the petitioner has submitted that the
amount was already been deposited but it was not updated in the Ac-



count Section and in that misconception this case was lodged against the present petitioner.

By drawing my attention towards Annexure-3, learned counsel for the petitioner has submitted that the Department has given no objection certificate mentioning therein that there is no any due pending against the present petitioner.

Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender, be released on anticipatory bail within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Chief Judicial Magistrate, Muzaffarpur in connection with Town P.S. Case No. 278 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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