

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21147 of 2021

Arising Out of PS. Case No.-196 Year-2019 Thana- SACHIVALAYA District- Patna

BALWANT KUMAR SON OF LATE KAPILDEO MANDAL Resident of
Village - Ward no.03, Tuniyadih, Tuniyahi Uttarwari, P.S.- Madhepura, Distt.-
madhepura, assistant Engineer, Zila Prishad, Madhepura. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

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

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sachivalaya P.S. Case no. 196 of 2019 instituted for the
offence under Sections 467, 468, 471, 120(B), 420 of the Indian
Penal Code.

As per allegation in the FIR, Petitioner has submitted
a letter dated 12.2.2019 for extension of his service. Petitioner
in his application has annexed letter no. 2877 dated 10.5.2013



and in enquiry, it has been found that the facts of the forged letter matched exactly to the letter no. 2877 dated 10.5.2013. Pages from letter no. 3355 to 3372 on the Issue Register (Part-2) have also been destroyed by some unknown persons. Further allegation is that the Joint Director of the Department directed to D.D.C.-cum-C.E.O., Zila Parishad, Madhepura not to act upon further on the forged letter and also directed not to give any benefit to the petitioner. In nutshell, petitioner has created forged letter of the department for extension of his service.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case because he is beneficiary of this letter. The approval for extension of his service was a matter between Zila Parishad, Madhepura and the department. Petitioner has never used any forged letter to get illegal benefit.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender



in connection with Sachivalaya P.S. Case no. 196 of 2019, he will 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 learned ACJM 2nd, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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