

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17927 of 2022

Arising Out of PS. Case No.-435 Year-2019 Thana- BHAGWAN BAZAR District- Saran

MOTICHAND MAHTO Son of Late Shekha Mahto Resident of Village-
Sherwhan, P.S.- Chiutaha, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rohan Verma, Advocate Mr. Prashant Sinha, Advocate
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant (District Program Officer) alleges that the petitioner on 28.02.2019 retired from the Literacy Office of District Program Officer as Clerk and was In-charge of Literacy Office but despite repeated direction from the department had not handed over his charge nor the records to the next incumbent.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that if the petitioner did not hand over charge or the records as alleged in the F.I.R. then the Bihar Pension Rules takes care of such situations for which a criminal case is definitely an abuse of the process of the Court.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bhagwan Bazar P.S. Case No. 435 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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