

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62134 of 2021

Arising Out of PS. Case No.-214 Year-2021 Thana- DHURAIYA District- Banka

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Md. Abid Akhtar, S/o Md. Qaiyum Anasari, aged about 34 years, male, R/o
Village - Telia, P.O. - Telia, P.S. - Circle - Banka, P.S. - Banka, District -
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Ram Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 29-03-2022 This case has been taken up for hearing on priority

on the submission of the counsel for the petitioner that he is

a government employee and because of an inadvertent

mistake in executing his work, he has been made accused in

this case. This case had been filed about six months ago,

but it has not yet been taken up even once for consideration.

Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his



arrest in connection with Dhoraiya P.S. Case No. 214 of 2021, dated 20.08.2021, instituted for the offences under Sections 420, 409, 467, 468 and 471 of the Indian Penal Code.

The accusation against the petitioner is that in his capacity as Executive Assistant in a Block, the ration card was prepared in the name of a person whose RTPS number did not match.

The learned counsel for the petitioner has submitted that one Priyanka Kumari had made an application for issuance of ration card on her RTPS number, but that was rejected. However, another person, namely, Sakila Khatoon was issued the ration card but inadvertently, the RTPS number of aforesaid Priyanka Kumari was inscribed in the ration card of aforesaid Sakila Khatoon.

It has been submitted that the aforesaid mistake was inadvertent and not by design. It has further been submitted that there is no accusation against the petitioner of having obtained any illegal gratification for issuance of ration card to another person in the RTPS number of



another applicant. It has also been submitted that over the period of time, aforesaid Priyanka Kumari has also been issued a ration card and she has no complaint against the petitioner.

Considering the aforesaid nature of accusation, the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 214 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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