

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64032 of 2021

Arising Out of PS. Case No.-165 Year-2020 Thana- SIWAN CITY District- Siwan

INDRAJIT PRASAD SINGH @ INJDRAJIT PRASAD SINGH S/o- Shri
Ramnath Singh Resident of Village - Jagatpur Anand Tola, Post - Basantpur,
P.S. - Basantpur, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 419, 420, 467 and 468 of
the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

The informant, Postal Inspector, alleges that during the
period from August, 2013 to 2017, while the petitioner was holding
the post of Postal Inspector at Siwan, he had made appointments on
the post of GDS against the rules and guidelines with the help of
other accused persons.

Learned counsel for the petitioner submits that petitioner
has been falsely implicated in the present case and the present FIR



came to be instituted after retirement of the petitioner as the informant was harbouring grudge against him. It is next submitted that petitioner was previously posted in Postal Department of Indian Army on the post of Warrant Officer in the year, 1996 and had also served abroad in Bhutan for two years. It is further submitted that petitioner was conferred award by the President of India for his exemplary service in Indian Army, Postal Department. It is next submitted that petitioner thereafter was transferred from the Indian Army, Postal Department to Indian Postal Department on 31.07.2013 and the first posting of the petitioner was at headquarter post office, Siwan district on the post of Inspector, West Sub-Division, Siwan. It is also submitted that petitioner was in charge of Assistant Superintendent, East Sub-Division, Head Office, Gopalganj since 17.07.2015 to 24.03.2017. It is further submitted that the engagement of GDS made by the petitioner was in accordance with the rules of the postal department. Learned counsel further submits that had the petitioner violated the rules in making appointment then the department would have definitely proceeded against him departmentally but no departmental proceeding ever came to be instituted against him and it is only after his retirement the present FIR came to be instituted by the informant when the persons appointed by him are still working and they have not been terminated. Learned counsel next submits that it absolutely does not stand to reason that as to why the informant instituted the present FIR



instead of intimating the department for holding a departmental inquiry against him and his appointees. This amply demonstrates that the relation between the informant and the petitioner was strained as specifically pleaded at para 11 of the anticipatory bail application.

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 Siwan Town P.S. Case No. 165 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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