

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5392 of 2023

Arising Out of PS. Case No.-683 Year-2022 Thana- RAJGIR District- Nalanda

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Santosh Kumar Chaudhary Son Of Badri Narayan Chaudhary Resident Of
Village- Kadirganj, P.S.- Kadirganj, District- Nawada, The Then Circle
Officer, Rajgir, District- Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prasad Singh

For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 409, 420, 467, 468,
469, 504 of the Indian Penal Code.

The prosecution case in nutshell is that
petitioner, who was posted as Circle Officer, Rajgir, was
already suspended by the Revenue and Land Reforms
Department, Patna on 2nd of December, 2022 and
despite the knowledge of his suspension he kept on



discharging his duty illegally as C.O. from 3rd of December, 2022 to 7th of December, 2022 and he disposed total 39 applications of mutations and one case of Parimarjan also. It is further alleged that although he has handed over the charge on 6th of December, 2022 but even then he disposed 9 mutation cases on 7th of December, 2022, which shows that he deliberately tempered with Government records. Thus, he has committed forgery and Criminal conspiracy causing loss of revenue and tarnishing the image of the Government.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner was called on mobile phone by the informant in his office on 10th of December, 2022 itself and got him arrested by the local police before institution of the F.I.R. It is further submitted that petitioner was communicated officially about his suspension on 6th of December, 2022 in the late hours



of the day and on the day, he handed over the charge to the succeeding officer. It is submitted vide para 10 of the petition that with respect to 9 mutation applications, orders were passed on 6th of December, 2022 itself and as the server of the computer was down, the same were shown to be uploaded on 7th of December, 2022. Moreover, the petitioner is languishing in judicial custody since 11.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rajgir P.S. Case No. 683 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to



the satisfaction of the learned C.J.M., Nalanda,
Biharsharif.

(Sunil Kumar Panwar, J)

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