

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7941 of 2023

Arising Out of PS. Case No.-418 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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KESHAV KUMAR JHA SON OF SUDHIR KUMAR JHA R/O VILLAGE-
ANDIPATT, P.O.- SRIPATTI, P.S.- RAJ NAGAR, DISTRICT-
MADHUBANI, AT PRESENT DATA ENTRY OPERATOR, PROHIBITION
AND EXCISE DEPARTMENT, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-05-2023 Heard Mr. Sanjay Kumar Jha, learned counsel for the

petitioner and Mr. Ram Priya Sharan Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with

Madhubani Town PS Case No. 418/2022 dated 27.10.2022

registered for the offence punishable under Sections 406, 419,

420, 467, 468 and 471 of the IPC.

3. As per First Information Report, about 252

vehicles were seized by the police under different FIRs and the

auction of all the vehicles were being done after confiscation

and the petitioner being the data operator in the office of

Superintendent Excise, Madhubani prepared the general notice

for open bid of the vehicles. It has further been alleged that



while preparing the details of the vehicles for public notice for auction, the petitioner at serial no. 248 deliberately incorrectly mentioned the kind, cost and other details of the vehicle with an intention to purchase the vehicle and subsequently, participated in the open bid in which the call of the petitioner was finalized @ of Rs. 7,30,000/-.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence inasmuch as the price of the vehicle was assessed by Motor Vehicle Inspector as Rs. 2,50,000/- and due to typographical mistake, the price was mentioned in the public notice as Rs. 25,000/-. He next submits that the Registration Number of the vehicle was mentioned as BR7P-4895 instead of BR7PC-4895, hence only one letter 'C' was missing from the registration number. It is correct that the petitioner participated in the auction process but being the highest bidder, the call was finalized in his favour. All other details of the vehicle mentioned in the public notice are correct. However, before the bid was opened for call, the vehicle in question was released in favour of its owner on 01.09.2022 and the bid was opened on 29.09.2022 as would be evident from Annexures-3 and 4. The petitioner has already been suspended.



5. Regards being had to the submissions made by the parties, taking into consideration the material on record and the fact that the price of the vehicle was assessed by the Motor Vehicle Inspector @ Rs. 2,50,000/-, no custodial interrogation of the petitioner may be necessary in the facts of the present case, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Town PS Case No. 418/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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