

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14433 of 2023

Arising Out of PS. Case No.-522 Year-2022 Thana- KRITYANAND NAGAR District-
Purnia

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RAMESH KUMAR MANJHI Son of Late Raj Balam Manjhi Resident of-
Mubarakpur, P.S.- Marhaura, District- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Binay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore (APP.100)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with K. Nagar P.S. Case No. 522 of 2022 registered for the offences punishable under Sections 467, 468, 471, 409 and 420/34 of the Indian Penal Code. He has one criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that the record of the settlement case no. 03/2012-13 through which the settlement of land was made with Wing Commander was not available, thereafter an inquiry team was constituted under the presidentship of the Additional Collector. The committee, for non-available of the said record, held the Incharge Assistant Shri Binda Das and Indra Mohan Sharma



who were the revenue karmchari Incharge and the petitioner was the then Incharge Circle Inspector.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner is the Circle Inspector and there is no allegation that this petitioner was the custodian of the records as also Indra Mohan Sharma has been granted bail by this Court Cr. Misc. No. 5301/2023.

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

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the Circle Inspector during the year 2012-13 and the allegation against him is that he along with others had made false proposal for settlement in favour of one Wing Commander, the records of the said settlement case is missing, there is no allegation that this petitioner was the custodian of the records and further considering that the then incharge Assistant Shri Binda Das was Incharge of the records and the co-accused Indra Mohan Sharma has been granted pre-arrest bail by this Court in Cr. Misc. No. 5301/2023, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner



above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Nagar P.S. Case No. 522 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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