

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.21061 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- BELDOUR District- Khagaria

VINOD KUMAR RAY SON OF KISHORI RAY RESIDENT OF VILLAGE
- WARD NO 9, LAWAPUR, HARNARAYAN, VAISHALI, P.S. -
HARNARAYAN, DISTT. - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-06-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Beldour Police Station Case No. 07 of 2023, dated
11.01.2023, disclosing offences under Sections 467/420/188 of
the Indian Penal Code.

The prosecution case, on the basis of the First
Information Report, is that the petitioner, who is a constable
posted at Beldour Police Station, marked his attendance during
the suspension period which was detected by the police
authority on 11.01.2023 at the time of inspection.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case and he has not committed any offence in the manner alleged. He further submits that it is true that the petitioner was suspended and was making his signature in attendance register regularly, but on the date of inspection he was absent and from perusal of Annexure-3 page no. 26, on 11.01.2023, the petitioner was absent and did not mark his signature showing him present. He next submits that on the basis of allegation made in the First Information Report, at best, the charge of misconduct in discharge of official duty can be made out against the petitioner.

Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and attendance register, annexed at Annexure-3, produced by the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Khagaria, in connection with Beldour Police Station Case No. 07 of 2023,



subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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