

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61728 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- SHAHKUND District- Bhagalpur

Abhinandan Prasad Singh @ Abhinandan Singh Son Of Late Sanichar Prasad Singh Karamchari-Cum-In-Charge-Circle Inspector R/O Mahduttpur, P.O.- Jamunia, P.S.- Naugachia, District- Bhagalpur Permanent Address Resident Of Vrindaban Colony, P.S.- Tilkamanjhi, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. NK Agrawal, Sr. Advocate
	:	Mr. Arvind Verma, Advocate
For the Opposite Party/s	:	Mr. Umesh Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Shahkund P.S. Case No.15 of 2022 registered for the offence punishable under Section 409 of the Indian Penal Code.

As per the prosecution, the informant alleged that the petitioner (posted as Rajaswa Karamchari-cum-incharge Circle Inspector) did not deposit record of Bhu-bandobasti in case No.14/16-17 in the circle office.

The main submissions advanced by the learned counsel



for the petitioner are that the alleged incident relates to disappearance of official record by the Circle Inspector (petitioner) but the said record was never entrusted to the petitioner and he never dealt with the said record in official capacity and moreover if the record has been misplaced then it can be reconstructed and for the alleged wrong the petitioner has been languishing in jail since 03.03.2022 and he is a Government servant, hence there is no chance of him fleeing from the Court's proceeding. Further submission is that petitioner was not the custodian of the lost record and the said record was disposed of record which remains in the Circle Office.

Learned APP Mr. Umesh Nand Pandit appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 the concerned Court in connection with Shahkund P.S. Case No.15 of 2022.

(Shailendra Singh, J)

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