

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5077 of 2023

Arising Out of PS. Case No.-24 Year-2015 Thana- RAGHOPUR District- Vaishali

JITENDRA KUMAR Son of Late Chandeshwar Ram R/v- Jaduaa, Kumhar
Tola, P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-03-2023 Heard learned counsel for the petitioner and the

State.

The petitioner is in judicial custody in connection
with Raghapur P.S. Case No. 24/2015 registered under Sections
409 and 353 of the Indian Penal Code.

The case against the petitioner is that while posted
as ‘Clerk cum Nazir’ at Raghapur block removed the account
register as well as other records related to the ‘*Nazarat*’ and as a
result whereof the documents related to ‘*Nazarat*’ were
unavailable hampering the entire government work.
Accordingly, the present FIR was lodged in 2015.

Earlier the bail application was taken up vide Cr.
Misc. No. 15541 of 2022 and rejected on 01.08.2022 taking
into account the fact that he had absconded from the office



which resulted into hampering of the government work.

Learned counsel for the petitioner submits that for the said misadventure, he has already suffered by being in custody since 14.06.2021 (as stated in paragraph-13 of the bail application).

Taking into account the period of custody as also the fact that he has already been punished being out of employment, this Court is inclined to grant him relief.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., IV, Hajipur, Vaishali in connection with Raghopur P.S. Case No. 24 of 2015, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/ Neha-

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