

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64984 of 2023

Arising Out of PS. Case No.-194 Year-2021 Thana- MINAPUR District- Muzaffarpur

Nand Kishore Prasad @ Nand Kishore Son Of Late Mahendra Prasad R/O
Vill - Chhapra Dharampur Yadu, P.S. - Kanti, Distt. - Muzaffarpur, Retired
Panchayat Secretary, Gram Panchayat Raj Gorigama Block Minapur,
Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Alok Kumar Alok, Advocate
For the Opposite Party : Mr.Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-08-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 420, 467, 468/34 of
the Indian Penal Code.

3. As per the prosecution case, this petitioner, who
was Panchayat Secretary at the relevant time, issued several
forged residential certificates.

4. Learned counsel appearing for the petitioner
submits that at the relevant time petitioner was discharging his
duty under BDO, Minapur, whereas the residential certificate in
question was issued by the CO, Minapur. As per Gazette
notification dated 2.5.2011, the Circle officer was required to
issue Residential certificate to the concerned beneficiaries on
the basis of recommendation of a competent person under his



control. Besides this, from the perusal of the inquiry report of the Assistant Collector cum BDO, Minapur it is clear that forged signature of the petitioner had been used to issue residential certificate. Petitioner superannuated from service in April, 2020. During service period, there was no complaint and after one year of superannuation, this case has been lodged. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in Minapur Police Station Case No. 194 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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