

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29092 of 2025

Arising Out of PS. Case No.-616 Year-2024 Thana- GANDHIMAIDAN District- Patna

Chandeshwar Choudhary son of Late Brihaspat Choudhary Village-
Nagarnausa, Ps- Nagarnausa, District- Nalanda, Bihar Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Gandhi Maidan P.S. Case No. 616 of 2024 instituted under Sections 318(4), 338, 336(3), 340(2), 324(5), 3(5) of Bhartiya Nayay Sanhita, 2023 lodged on 16.10.2024 by the informant, Mahesh Paswan.

3. As per the prosecution story, the informant, Mahesh Paswas was posted as Record Keeper in the office of District Registration Office, Patna lodged the FIR with Gandhi Maidan Police Station alleging that one Nitu Kumari wanted certified copy of a particular document through RTPS and as she failed to receive it, a complaint was filed by her.

4. In the light of said complaint, the two Member Enquiry Committee investigated the matter and came to light that the records were found to be in damaged condition and some pages have been added in Column No.100. Accordingly,



the Committee wanted lodging of the FIR against the accused persons. The petitioner who after retirement was serving as contractual employee was made accused. This led to the FIR.

5. Learned counsel for the petitioner submits that he was not the only person posted there, regular employees were also there, he has no criminal antecedent, is a retired employee of 65 years of age, general served with the office, is ready to cooperate in the investigation and diligently appearing in trial.

6. Learned APP opposes the prayer submitting that only after the Committee investigated the matter, it was found that the records have been damaged/interpolated.

7. Considering the submissions of the parties as also the fact that FIR is there, the petitioner being an accused, will be facing the music, is ready to participate in the investigation, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Gandhi Maidan P.S. Case No. 616 of 2024 to the satisfaction of learned S.D.J.M.,



Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative 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 co-operate in the investigation and make himself available to the police as and when required;

(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.

(Rajiv Roy, J)

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