

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82226 of 2024

Arising Out of PS. Case No.-10 Year-2018 Thana- CIVIL LINE District- Gaya

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Santosh Kumar Tiwari Son Of Raghunandan Tiwari Resident Of Village-
Sarkar P s -Deo District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the State : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 03-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 409, 420 of the Indian Penal Code.

3. The prosecution case as disclosed in the FIR is that the petitioner, on the basis of a forged departmental letter, got the benefit of ACP and drew the arrear amount totalling to Rs. 3,69,185/- for a period from 01.04.2007 to 30.06.2017.

4. Learned counsel for the petitioner submits that the petitioner was granted the benefit of ACP in the grade pay of 2400 vide order dated 31.12.2015 by the Committee and the said decision of the Committee has been brought on record by



way of Annexure-P/2. It is further submitted that the petitioner, who is a government servant, was subjected to departmental proceedings and the punishment has been brought on record by way of Annexure-P/3 wherein the recovery of an amount of Rs. 5,91,661/- has been ordered to be deducted from his salary in 24 months. However, the petitioner was never suspended and is still working. It is also submitted that the petitioner also undertakes to cooperate in the trial.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail

6. Taking into consideration the fact that the petitioner has already been punished in the departmental proceedings and he is a government servant who undertakes to cooperate in the trial and there is no risk thus of absconding, I am inclined to grant the privilege of anticipatory bail to the petitioner. 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 the learned lower Court where the case is pending/successor Court in connection with Civil Lines P.S. Case No. 10 of 2018,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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