



UPMA010060872023

In the court of Sessions Judge, Mau.

Present-Rameshwar, HJS.

Judicial Officer Code no. UP 6537

Application for anticipatory Bail no. 2539 of 2023

Rampal Bahadur Singh

---accused-applicant

versus

State of U.P.

---Opposite party.

ORDER

1. The present application for anticipatory Bail has been moved on behalf of the accused-applicant Ram Bahadur Singh, involved in case crime no. 269 of 2023, for the offence punishable under section 409 of the Indian Penal Code, within the territorial jurisdiction of Police Station Madhuban, District Mau.
2. The brief facts of the case are that, the accused applicant was posted as Lekhpal of village Katghara Shankarin Tehsil Madhuban, District Mau at the time of incident. It is alleged against the accused applicant that he was directed to file Extract of Khatauni for the crop year 1409-1414 for the village Siddha Ahilaspur and extract of Khatauni for the crop year 1407-1412 on 16.11.2014 in Registrar Office. The charge list was produced by the accused applicant, the above extract of Khatauni should be submitted in the Registrar Office in July 2007 and July 2005. No record was produced, which shows that accused applicant filed above extract of khatauni in the record room.
3. Heard the learned counsel for the accused-applicant as well as learned In-charge District Government Counsel (Crl.) and perused the record.
4. The learned counsel for the accused-applicant submits that no offence is made out against him. Informant wants his personal work from him, which was not done by him, so this false case was registered against him. Without order of competent authority, FIR has been lodged against him. No preliminary inquiry was also conducted. In the year 2007 and 2005, records were being computerized, so delay was caused in filing extract of Khataunis in record room. However, the same was filed on 16.01.2014, thereafter, FIR in the year 2023 was lodged at so belated stage, explanation of which was not given by the prosecution. He is employee of Tehsil, and there is no possibility to flee anywhere. The Police is raiding the house of the accused applicant and the Police may insult him after their arrest.
5. The learned In-charge District Government Counsel (Crl.) submits that the accused-applicant has not filed extract of Khatauni in the

year 2005 and 2007, but the same was filed by him in the year 2014 as per his version, but above records were not filed in record room. The accused applicant is Lekhpal of the villages at the time of incident and it is his duty to perform his duty bona-fidely in filing above records in registrar office. Hence, he committed grave offence. He prayed for rejection of application for anticipatory bail.

6. It is alleged against the accused applicant that he was directed to file Extract of Khatauni for the crop year 1409-1414 for the village Siddha Ahilaspur and extract of Khatauni for the crop year 1407-1412 on 16.11.2014 in Registrar Office. The charge list was produced by the accused applicant, the above extract of Khatauni should be filed in the Registrar Office in July 2007 and July 2005 in Registrar Office, but no record was produced, which shows that accused applicant filed above extract of khatauni in the record room in time.
7. Considering the facts and circumstances of the case along with gravity of the offence and role assigned to the accused applicant, I do not find it a fit case for anticipatory bail.
8. Hence, the application for anticipatory bail moved by the accused-applicant Rampal Bahadur Singh is hereby, dismissed.

(Rameshwar)
UP6537

Dated:December 04, 2023

Sessions Judge, Mau.