

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36953 of 2014

Arising Out of PS.Case No. -14 Year- 2014 Thana -BHEJA District- MADHUBANI

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Binay Kumar Lal Das Son of Late Sone Lal Das R/o Village - Kanhauli,
P.O. - Kanhauli, P.S. - Khajhauli, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar

For the Opposite Party/s : Mr. J.K. Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-04-2015 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 409/34 of the Indian Penal Code registered in connection with Bheja P.S. Case No. 14 of 2014.

3. It is submitted that the petitioner being the Panchayat Secretary has been falsely implicated as the enquiry report enclosed with the letter dated 02.03.2013 of the B.D.O., Madhepur showed that all the solar lights were working properly. Moreover, the petitioner has already deposited a sum of Rs. 1,76,000/- under protest during the pendency of his writ application being C.W.J.C. No. 11304 of 2013.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named 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 Sri D.K. Tiwari, learned Judicial Magistrate, Ist Class, Jhanjharpur, in connection with Bheja P.S. Case No. 14 of 2014 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following conditions :

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

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