

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32135 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -BAIKUNTHPUR District- GOPALGANJ

Mahtab Alam Siddique @ Mahtab Siddique, S/o Md. Sabbir Siddique, R/o
Village- Sirsa, P.S.- Baikunthpur, District- Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Veerendra Narayan, Advocate
For the Opposite Party/s : Ms. Madhuri Lata (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-08-2015 Heard learned counsel for the petitioner and the
learned counsel for the State.

The petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No.49 of 2015 for allegedly having committed the offence under Sections 341, 353, 379, 385, 419, 420, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present case has been occasioned on account of the fact that the petitioner is an R.T.I. activist, who has been espousing the cause of mass scale irregularities in the conduct of the activities within the District-Gopalganj. It is submitted on behalf of the petitioner that the local authorities in connivance with other



functionaries in the field have been indulging in the irregularities in the mid-day meal scheme and the petitioner was seeking information with regard to the same, for which he had filed several applications. When such information was not received by him, he filed an appeal case before the State Information Commission and vide letter contained in Memo No.5622 dated 22nd September, 2014, the concerned officers were asked to explain why information has not been provided to this petitioner. Learned counsel further submits that the concerned Block Development Officer and the Project Officer being annoyed with such action and the letter being issued to them, had initiated the present prosecution against him, making false and frivolous allegation and for the said purpose, he had instigated Anganwari Sevika to file the present case.

After considering all the facts and circumstances and perusing the Annexures attached to the present application, it is evident that there is an element of personal vendetta involved in the present case and as such, since the petitioner has no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Gopalganj, in connection with Baikunthpur P.S. Case No.49 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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