

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41189 of 2014

Arising Out of PS.Case No. -33 Year- 2014 Thana -MALI District- AURANGABAD

Rajesh Singh S/o Jagarnath Singh resident of Village - Koni, P.S. Mali,
District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Zainul Abedin (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-03-2015 Heard learned counsel for the petitioners and the State.

The petitioner apprehends his arrest in Mali P. S. Case No. 33/2014 registered for offences punishable under Sections 379, 411/34 of the Indian Penal Code.

The allegation against the petitioner is that seven rice bags each containing 25 Kgs were being carried away on tractor from the Middle School, Bariyawa, were recovered from his tractor.

Learned counsel for the petitioner submits that the entire case is false and frivolous and has been occasioned on account of infighting within the school authorities.

It is submitted on behalf of the petitioner that a resolution was taken at the School for cleaning the rice for which

rice bags had been entrusted to him for eliminating and cleaning insects and for that purpose seven bags of rice have been taken away by the petitioner which was recovered from the school gate. In this connection the learned counsel for the petitioner has drawn my attention to Annexure-2 of the bail application which indicates that a decision had been taken by the School authority for cleaning the rice.

Considering the facts that there was only seizure of the rice bags and the petitioner has no criminal antecedent, let the above named petitioner in event of arrest or surrender within a period of four weeks shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Aurangabad in connection with Mali P.S. Case No. 33/2014, subject to condition as laid down under Section 438(2) of Cr. P.C.

(Anjana Mishra, J)

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