

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52190 of 2014

Arising Out of PS.Case No. -54 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Moti Baitha, son of Late Bhoj Baitha

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Kunti Devi, wife of Shivrath Sah.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava

For the Opposite Party/s : Mr. Ansuaiya Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-01-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. C-54 of 2014 in which cognizance has been
taken for the offences punishable under Sections 323, 504, 506,
420 of the Indian Penal Code.

The accusation against the petitioner is that he
withdrew Rs. 23,000/- from the account of the complainant
inducing her to provide Indira Awas.

Learned counsel for the petitioner points out that
according to complaint case itself, the alleged occurrence took
place in the year 2010 but the complaint case was filed in the year
2014 i.e. after four years of the alleged occurrence and moreover,

petitioner was neither elected as Mukhiya nor contested the election of Mukhiya.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, 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 Sri Kamla Prasad, Judicial Magistrate 1st Class, Raxaul at Motihari in Complaint Case No. C-54 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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