

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49496 of 2014

Arising Out of PS.Case No. -222 Year- 2014 Thana -SURSAND District- SITAMARHI

- =====
1. Ram Ratan Kapar, S/O Bhajan Kapar, Resident of Village – Bhaluahi, P.S-Sursand, District-Sitamarhi
 2. Rameshwar Ram, S/O Bipti Ram, Resident of Village - Koriahi, P.S-Sursand District-Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party : Mr. Sunil Kumar Pandey (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-05-2015 Heard learned counsel for the petitioners and the learned counsel for the State.

The petitioners are apprehending their arrest in connection with Sursand P.S. Case No.222 of 2014 for allegedly having committed the offences under Sections 420 and 406/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that Petitioner No.1 Ram Ratan Kapar is simply a villager and he has no role to play whatsoever in either recommending or making selection for providing Indira Awas to any person. It is further submitted that Petitioner No.2 Rameshwar Ram was merely the Deputy Mukhia at the relevant point of time and he

too had no power to either recommend or send the name of the person for such grant under Indira Awas. It is further submitted that only Panchayat Sevak and Mukhiya are authorized for making recommendation for grant of such benefit under Indira Awas and the petitioners have no role to play in the same.

Considering the aforementioned submissions and the nature of the allegations and further that it does not appear as to what evidence has surfaced so as to implicate the petitioners, let both the above named petitioners, in the event of their 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 bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with Sursand P.S.Case No.222 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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