

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47938 of 2014

Arising Out of PS.Case No. -116 Year- 2014 Thana -BARSOI District- KATIHAR

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Indradeo Singh son of Late Lakhan Singh, At and P.O.- Murli Chandwa,
P.S.- Uda Kishunganj, District- Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.48781 of 2014

Arising Out of PS.Case No. -116 Year- 2014 Thana -BARSOI District- KATIHAR

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Devanand Yadav Son of Late Bangali Yadav Resident of Village -
Chandawa, Police Station - Routara, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.49214 of 2014

Arising Out of PS.Case No. -116 Year- 2014 Thana -BARSOI District- KATIHAR

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Amresh Kumar Rana Son of Late Laxman Prasad Resident of Village -
Barhi Bigha, P.S. - Hilsa, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Atul Kumar Pandey, Advocate
Mr. N.A. Shamsi, Advocate
Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Umesh Lal Verma, Advocate.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-08-2015 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners in the aforesaid three cases apprehend their arrest in connection with Barsoi P.S. Case No. 116 of 2014 registered for the offences punishable under Sections 420, 467, 409, 201, 120(B) of the Indian Penal Code.

The allegation against them is that these petitioners had participated in the issuance of Basgit Parcha to be distributed amongst 21 beneficiaries and it was discovered that out of the said Parchas distributed, one Parcha was in favour of Jitendra Ghosh and Umesh Ghosh. However, it was found that with regard to this extra beneficiary, there was no record available in the Anchal Office and suspecting foul play the entire list of Basgit Parchas was then cancelled by the Anchal Adhikari.

It is, thus, submitted that none were benefited from the said Parchas on account of the cancellation and the petitioners cannot be prosecuted for the said reason.

Learned counsel for the State further pointed out paragraph – 35 of the case diary in which it has come on record that these three petitioners were not actually signatory to the Basgit Parcha which was issued earlier.

Considering the present situation, as has emerged from the case diary, that prima facie, petitioners cannot be held responsible and also the fact that petitioners of Cr. Misc. No. 47938 of 2014 and Cr. Misc. No. 48781 of 2014 have no criminal antecedents, whereas against petitioner of Cr. Misc.

No. 49214 of 2014, one case is pending for offence of minor nature, let the petitioners named above, 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Katihar in connection with Barsoi P.S. Case No. 116 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

Jagdish/-

(Anjana Mishra, J)

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