

**IN THE HIGH COURT OF JUDICATURE AT
PATNA**

Criminal Miscellaneous No.53241 of 2015

Arising Out of PS.Case No. -193 Year- 2015 Thana -PURNEA SADAR District-
PURNIA

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Md. Sohit @ Sohid Son of Abdul Hassan resident of Basantpur, P.S.
Sadar, District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Ajay Kr. 2(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 26-11-2015

Petitioner being husband of the panchayat ward member is apprehending his arrest in a case registered for the offences punishable under Sections 409, 420/34 of the Indian Penal Code.

It is alleged that petitioner used to take the cyclone relief of Rs. 5800/- from each beneficiary and after deducting Rs. 1000/-, he used to return the rest amount. It is also alleged that authorities also used to take Rs. 100/- for issuing ration card.

It is submitted by learned counsel for the petitioner that this is the admitted case of the informant and the City Manager of the Municipal Corporation who conducted the enquiry that the beneficiaries were given relief fund of Rs. 5800/- each and when they used to come out from the relief

camp then petitioner used to take Rs. 1000/- from the beneficiaries and even assuming the accusation, no offence under Sections 409, 420/34 of the Indian Penal Code is made out against the petitioner since petitioner is neither panchayat representative nor holds any post in the administration and none of the beneficiaries have lodged any complaint about snatching of money by the petitioner.

Considering the thrust of accusation against the panchayat representatives, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 193 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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