

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54619 of 2015

Arising Out of PS.Case No. -117 Year- 2012 Thana -KADWA District- KATIHAR

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Gulam Rasul S/o Late Insa Mian Resident of Village - Ahmadpur (Ufrail),
P.S. - Kadwa, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataur Rahman

For the Opposite Party/s : Mr. Md. Sufiyan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 02-12-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 406,
420 and 409 of the Indian Penal Code.

The Block Development Officer, Kadwa
lodged the present First Information Report on the direction of
the District Magistrate, Katihar alleging therein that in violation
of the norms of 13th Finance Commission the petitioner being the
Panchayat Mukhiya and the Panchayat Secretary purchased solar
lights.

It is submitted by learned counsel for the
petitioner that even assuming the accusation made in the FIR it
simply talks about irregularity. Co-accused challenged the order

of Collector for proceeding without show cause in C.W.J.C. No. 3673 of 2012 when it has been observed by this Court that administration ought not have proceeded without issuance of show cause.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Ist Class, Katihar in connection with Kadwa P.S. Case No. 117 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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