

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7084 of 2015

Arising Out of PS.Case No. -120 Year- 2014 Thana -DHANSOI District- BUXAR

- =====
1. Lalan Ram Son of Sri Sarju Ram resident of village - Rahthuan, P.S. Brahampur, District - Buxar at Present posted as Panchayat Secretary at Simri Block, District - Buxar
2. Ram Prayag Singh Son of Late Ram Grihi Singh Resident of village – Deochanda, Police Station - Piro, District - Bhojpur at Ara

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Kumar
For the Opposite Party/s : Mr. Sanjay Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2. 26-02-2015. Heard both sides.

Petitioners apprehend their arrest in a case under sections 409, 420 and 34 I.P.C.

The allegation against the petitioners is that they committed irregularity in purchasing solar lights, which were purchased from a Company other than the Company ear-marked by the State of Bihar.

It is submitted that the solar lights were purchased on the resolution of the Gram Sabha. The State Government issued direction in the year 2010 for purchase of the solar lights from BRED A but prior to that, many solar lights were purchased by different agencies. Rules for purchase were not violated and the Company who gave lowest price, solar lights were purchased from that Company.

Considering the facts aforesaid, petitioner no. 2 Ram

Prayag Singh, in the event of his arrest/surrender before the court below within four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in connection with Dhansoi P.S.Case No.120 of 2014, subject to condition laid down u/s 438(2) Cr.P.C.

So far as petitioner no.1 Lallan Ram is concerned, he was also Panchayat Sachiv, but does not disclose the true facts in para-3 of the bail petition about his criminal antecedent. Many criminal cases are pending against him.

It appears that after filing of this bail petition in the court, learned counsel for petitioner no.1 has made correction in para-3 without the permission of the court.

On consideration of the aforesaid, I am not inclined to enlarge petitioner no.1 on anticipatory bail on this ground alone and accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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