

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18216 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -NAWINAGAR District- AURANGABAD

Rajesh Sharma, Son of Late Ramraj Sharma, Resident of Village - Ganti,
Post Office- Main, Police Station - Belaganj, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-09-2015 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Nabinagar P.S. Case No.02 of 2015 for allegedly having committed the offence under Sections 419, 420, 467, 468 and 471/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner was appointed as Purush Parivar Kalyan Karyakarta at the Health Sub-Centre, Ramnagar, Nabinagar in the district of Aurangabad and later on it has been alleged that there was some irregularities and that his appointment letter was forged. Learned counsel for the petitioner, however, submits that the petitioner's appointment came to be tested by this Court and



this Court allowed the writ petition of the petitioner. Thereafter the State has preferred an LPA, bearing LPA No.1053 of 2003, which was disposed of referring the case to one-man Committee. Learned counsel for the petitioner submitted that the disposal of the L.P.A. in the case of the petitioner and one Yogendra Kumar Gautam was under the mistaken belief that they had given consent for having their cases to be tested by the one-man Committee. Subsequently, the matter also travelled to the Apex Court, where the aforesaid fact was brought to the notice of the Apex Court, accordingly it remanded the matter back to this Court for fresh disposal and the said L.P.A. is still pending. The petitioner as well as said Yogendra Kumar Gautam is now facing prosecution in connection with the present case. It is submitted on behalf of the petitioner that said Yogendra Kumar Gautam, whose case is similarly situated, has been extended the privilege of anticipatory bail by a Bench of this Court in Cr.Misc. No.35838 of 2015, vide order dated 7.9.2015.

Considering the aforementioned facts and circumstances and that the petitioner stands similarly placed, let the petitioner, above named, in the event of his 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Nabinagar P.S. Case No.2 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--