

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4181 of 2015

Arising Out of PS.Case No. -188 Year- 2014 Thana -SIMRI District- BUXAR

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Tej Narayan Ojha, Son of Late Hari Bhajan Ojha, Resident of Village
Kharahatand, P.S. Simri, District Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Choubey

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 30-01-2015

Heard both sides.

The petitioner apprehends his arrest in Simri P.S.
Case No. 188 of 2014, registered for the offences punishable
under Sections 420, 406, 409 and 120(B) of the Indian Penal
Code.

The allegation against the petitioner is that he
being the Mukhiya purchased solar lamp from a company other
than the company earmarked by the Government of Bihar.

Learned counsel for the petitioner submits that the
purchase was made in the year 2007-08 and there was no direction
by the State of Bihar to purchase the solar lamp from BRED A or
any other company. The petitioner and others purchased solar
lamps in pursuance of a scheme after inviting proper tender and

the purchase was made from a company which quoted lowest price. The enquiry was held in pursuance of the order of the Hon'ble Court and thereafter without holding any proper enquiry, a case is lodged against many office bearers of the Panchayat.

Having considered the facts that the purchase was made in accordance with law from the company which quoted lowest price and after more than five years from the date of purchase, the case has been lodged, petitioner Tej Narayan Ojha, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Simri P.S. Case No. 188 of 2014, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

Sanjay/-

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