

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34422 of 2014

Arising Out of PS.Case No. -89 Year- 2009 Thana -MARAUNA District- SUPAUL

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1. Kusheshwar Yadav Son of Late Shiv Lal Yadav , Resident of Village - Agargadha (Agargarha), P.S. - Marauna District - Supaul .

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. R.P.S.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 16-02-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Originally, the informant filed Complaint Case no. 1728C of 2009 which was converted into Marauna P.S.Case No. 89 of 2009 registered under Sections 467, 471, 420 and 409 of the Indian Penal Code.

The accusation against the petitioner is that he got appointed himself on the post of Peon in a school on the basis of forged and fabricated document, particularly, in the circumstance that at the time of appointment the petitioner was under age.

The contention on behalf of the petitioner is that the appointment of the petitioner was made in the year 1971 and it was prevalent at that time to appoint under age person on the post

of Peon by the Management Committee of the concerned school and the aforesaid later on, appointment was legalized by the State Government which is evident from perusal of Annexure-4 to this petition. It is further contended by him that the informant has inimical terms with the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Supaul in Marauna P.S. Case No. 89 of 2009, subject to condition as laid down under Section 438(2) of the Cr.P.C.

Namita/-

(Hemant Kumar Srivastava, J)

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