

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17162 of 2015

Arising Out of PS.Case No. -29 Year- 2014 Thana -SAKSOHRA District- PATNA

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1. Bebi Rani (mukhiya) wife of Viveka Prasad at present Sakshohra West Panchayat, P.S. Belchhi, Dist - Patna, present Address - resident of village - Jalalpur, P.S. - Belchhi, Dist - Patna.
 2. Shashi Kant Singh @ S.K. Sinha the then Panchayat Rojgar Sewak, son of Rameshwar Prasad resident of Dilubigha, P.S. - Silab, Dist - Nalanda
 3. Shiv Shankar Chourasia @ Shiv Shankar Prasad Chaurasia son of Basudeo Mahto resident of Sonama, P.S. - Bakhari, Dist - Begusarai.
 4. Rajeev Ranjan Choudhary son of late Surendra Prasad resident of Itora, P.S. - Manpur, Dist - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 10-09-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 409/420 /467 /468/471/121B of the Indian Penal Code.

Earlier in this case, case diary has been called for which has since been received.

Learned counsel for the petitioners submits that the present case has been instituted out of the sheer vendetta against the petitioner and other members of the Panchayat who had been co-operating in discharging of her duties. The petitioner No. 1 had



been contesting elections against the private party who has since manoeuvred to lodge the present First Information Report against the petitioners and he was also responsible in the alleged murder of husband of the petitioner No. 1 subsequently. He further submits that a false and frivolous case has been instituted against her and the concerned officials after taking into note of allegation, directed enquiry into the matter before lodging of the First Information Report but even before the said report could come, the informant of the present case has chosen to file the present First Information Report.

Learned counsel for the State has produced the case diary. He has pointed out in paragraph no. 31 of the case diary that the report which was earlier wanting, had come and in the said report it was found that the petitioner No. 1 had withdrawn and made payment of money for the work executed in her Panchayat only to the extent that it had been conducted and the rest was surrendered back to the Government. No extra payments were made on her behest in her connivance.

Considering the aforementioned facts and circumstances and that there being no further material in the case diary so as to connect the petitioner with the allegation particularly in view of the report submitted before the Government, let the petitioners

abovenamed, in the event of their arrest / surrender within a period of three weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the each amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Saksohra P.S. Case No. 29/14 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J.)

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