

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13838 of 2016

Arising Out of PS.Case No. -72 Year- 2015 Thana -PHENHARA District- EAST CHAMPARAN
(MOTIHARI)

Vijay Gupta, S/o late Jagarnath Prasad @ Jagarnath Gupta, R/o Village-
Kuawan, P.S.- Chakia, District -East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioner. Despite repeated calls, none appears for the State.

The petitioner seeks pre-arrest bail in connection with Phenhara P.S. Case No. 72 of 2015 registered under Sections 419, 420, 406, 468, 353 & 120-B read with 34 of the Indian Penal Code.

It is contended that the petitioner is neither a contractor nor incharge of MDM rice nor staff of any school or BRC. He has no concern with the alleged occurrence. He is neither named in the FIR nor even remotely he can be connected in any manner with the alleged offence. However, only on

hypothetical presumption and wild suspicion, the supervising officer has given name of the petitioner as one of the suspect in the alleged occurrence.

Regard being had to the nature of allegation as also the other facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Phenhara P.S. Case No. 72 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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