

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48942 of 2015

Arising out of PS.Case No. -181 Year- 2015 Thana -CHOUTARWA District- WEST
CHAMPARAN(BETTIAH)

=====

1. Rajesh Yadav, Son of Dharmdeo Yadav.
2. Umesh Yadav, Son of Maharaj Yadav. Both are residents of village -
Pakadi Jamuniya, P.S. - Bathwariya, District - West Champaran.
..... Petitioners

Versus

The State of Bihar
..... Opposite Party

=====

Appearance :
For the Petitioners : Mr. Bimlesh Kumar Pandey, Advocate.
For the Opposite Party : Mr. R.S.Choudhary(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Chautarwa (Bathwariya) P.S. Case No. 181 of 2015 for the offences instituted under Sections 353, 379/34 of the IPC.

The prosecution story, in brief, is that the informant is the Panchayat Sachiv of Gram Panchayat Raj Bhitha. In compliance of Letter No. 213 dated 01.07.2015, he alongwith one another employee was distributing coupon in Government Primary School, Pakari, on 04.07.2015 and at the time of distribution,

petitioners fled away with the coupon from the table of Arvind Kumar. After two hours, they returned coupon but shortage was found in the coupon.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The alleged date of occurrence is 04.07.2015 but the FIR was instituted on 07.07.2015. No explanation in respect to delay has been made by the prosecution. In fact, at the time of distribution of coupon, the staff including the informant who happens to be a *Panchayat Sevak* were taking illegal money. The said act of the informant was objected by the petitioners. Hence, they have been made accused in the present case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Chautarwa (Bathawariya) P.S. Case No. 181/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bagaha, West Champaran, subject to the conditions as laid down under

Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)

