

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48750 of 2015

Arising Out of PS.Case No. -142 Year- 2011 Thana -KHIJARSARAI District- GAYA

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Rakesh Kumar @ Mukesh Kumar @ Mukesh Son of Nagendra Singh @
Narendra Singh R/o Village- Rounia, P.S.- Khizersarai, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh-I(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-01-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in Khizersarai
P.S. Case No. 142/2011, registered for the offences punishable
under Sections 341, 323, 379, 327, 328, 346, 347, 504 and 34
sections of the Indian Penal Code.

Case diary was earlier called for which has since been
received.

Learned counsel for the petitioner submits that the
present prosecution case has been initiated by the informant side
on account of fact that there was long standing dispute between
the parties with regard to the appointment of Shiksha Mitra in
which the wife of the informant had been protesting against the
appointment of the mother of the present petitioner as Shiksha
Mitra after making certain forged papers.

It is further submitted that on account of such illegal act by the mother of the present petitioner arose a series of litigation which also travel to the High Court. Subsequently, when the petitioner's mother succeeded in the litigation, the informant side in order to wreck vengeance has filed the present case making false and fabricated allegation against the petitioner and others.

Learned counsel for the petitioner after perusing the case diary submits that though initially the case was found untrue. Later, on subsequent investigation reveals that the case was true against the petitioner.

Considering the nature of allegation and also the facts that the present petitioner has no criminal antecedent, le the above-named petitioner 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 of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Khizesarai P.S. Case No. 142/2011, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J.)

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