

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 38276 of 2016

Arising Out of PS.Case No. -210 Year- 2015 Thana -SALKHUA District- SAHARSA

Lokesh Chandra Khan, S/o Mahesh Chandra Khan, R/o Village- Bangaon (South), P.S.- Bangaon, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra

Mr. Karuna Kant Jha

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 17-09-2016 Heard Sri Bal Krishna Mishra, learned counsel, who was assisted by Sri Karuna Kant Jha, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Salkhua P.S. Case No. 210 of 2015 registered for offence under Sections 406, 409, 120(B), 420 of the Indian Penal Code, has prayed for grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner that the present F.I.R. has been lodged on the basis of a complaint petition, which was initially lodged by the complainant/informant, vide Complaint Case No. 3469C of 2015. In complaint petition, only one person was named as accused namely Avinash Kumar, who was at the relevant time, posted as Assistant-cum-Supervisor and other 5-6 unknown conduits on an allegation that the accused persons were demanding illegal gratification for issuance of 2nd

installment to the mother of the petitioner under the scheme of Indira Awas Yojna. He submits that in the complaint petition, nothing was alleged against the petitioner, however; during investigation, only on the ground that petitioner had functioned as Supervisor, his name has been dragged in the present case.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail.

However, keeping in view the fact that present F.I.R. was lodged on the basis of complaint petition and in complaint petition, nothing was indicated against the petitioner, the Court is of the opinion that the petitioner deserves to be released on bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Lokesh Chandra Khan 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 learned Addl. Chief Judicial Magistrate 2nd, Saharsa in connection with Salkhua P.S. Case No. 210 of 2015, corresponding to G.R. No. 2932 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

Anay

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