

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36656 of 2016

Arising Out of PS.Case No. -459 Year- 2016 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

Nishikant, Son of Rama Kant Thakur, Resident of Village- Anderkila, Ward No.9, P.S.- Hajipur Town, District- Vaishali at present working as an Accountant at Primary Health Centre, Patepur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUJMAR
MISHRA
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Hajipur Town P.S. Case no. 459 of 2016, registered under Sections 420, 406, 427/34 of the Indian Penal Code.

The prosecution case is that on receiving secret information about burning of medicine at Nakhas Chowk, Hajipur, the informant being the Civil Surgeon, Vaishali constituted a raiding team, who reached at the place of occurrence on 02.07.2016 and found medicine was being burnt behind the house of the petitioner and some medicine was found lying on the adjacent roof to the house of one Bishun Kumar. The petitioner is presently posted as Accountant at Patepur P.H.C.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the medicine was burning behind the house of the petitioner and not in front of his house. Further submission is that no medicine was recovered from the house of the petitioner and mere on suspicion, being the Accountant of Primary Health Centre, he has falsely been implicated in this case. Further submission is that petitioner having no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali in connection with Hajipur Town P.S. Case No. 459 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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