

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30613 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -MUSAHRI District- MUZAFFARPUR

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1. Sushil Kumar, Son of Late Gauri Shankar Prasad, Resident of Village- Mahanagar, P.S. Siswan, District- Siwan.
 2. Raj Kumar Jha, Son of Mahesh Jha, Resident of Village- Nazirpur, P.S. Ahiyapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate

For the Opposite Party : Mr. Sri Ataur Rahman (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 05-08-2016

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehended their arrest in connection with Musahri P.S. Case No. 45 of 2016 registered for the offences punishable under Sections 409, 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the only allegation against the petitioners is that they have installed Vapor light instead of Solar light. He further submits that the said decision was taken under Aam Sabha and on the basis of letter of D.R.D.A. bearing letter No. 168 dated 12.05.2010, issued from Muzaffarpur wherein, a direction has been issued that electric/

solar light/vapor light installed on electric polls from the funds of Finance Commission and after approval of the Executive Committee. As such, the Aam Sabha had given direction to the Panchayat Secretary to install the said light.

Considering the entire facts and circumstances of the case and also that similarly situated co-accused Priyadarshini Sahi has been granted privilege of anticipatory bail in Cr. Misc. No. 23863 of 2016 vide order dated 30.05.2016, let the petitioners above named, in the event of their 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, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-III-cum-A.C.J.M., Muzaffarpur, in connection with Musahari P.S. Case No. 45 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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