

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50237 of 2016

Arising Out of PS.Case No. -67 Year- 2016 Thana -PARWATTA District- KHAGARIA

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Deepankar Kumar @ Deepak Kumar Son of Kapildev Prasad @ Kapildev
Mandal Resident of Village- Srirampur Thuthi, Kurmi Tola, Police Station-
Parbatta, District- Khagaria,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 468 and 420 of the Indian Penal Code and Section 39(B) of Bihar Panchayat Raj Act, 2006.

Allegation against petitioner is that he proposed the names of two candidates in the Mukhiya Election violating the Panchayat Raj Act.

It is submitted on behalf of the petitioner that he has falsely been implicated in the present case. It is alleged that petitioner had recommended nomination of two candidates for the Panchayat Election. Subsequently, the same was challenged before the Hon'ble Patna High Court and the nomination of the candidates recommended by the petitioner was held to be correct by the High Court. Petitioner has been made accused due to mistake of fact. There is no substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his/her arrest or surrender

in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Parbatta P.S. Case no. 67 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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