

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26269 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Azahar Mian son of Late Hasmuddin Mian ressident of Village-Dhumnagar,
P.S.- Shikarpur, District-West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate
For the State : Mr. Sri Mukesh Kumar Singh, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 05-07-2016 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offences punishable under sections 406/420 of the Indian Penal Code.

Learned counsel for the petitioner submits that an absurd allegation has been made against the petitioner who had taken illegal gratification for providing Indira Awas through Irfan Mian but till the date the petitioner was Mukhiya no such allegation was leveled against him and the new Mukhiya had taken charge, after about 3 years such absurd allegation has been made against him. Moreover, the petitioner is ready to return Rs. 4000/-.

Having regard to the facts and circumstances of the case, let the abovenamed petitioner, namely, Azahar Mian, be released on

bail in the event of arrest/surrender before the court below within a period of six weeks from today in Shikarpur Police Station Case No. 20 of 2016 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West Champaran at Bettiah, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

At the time of furnishing of the bail bonds, the petitioner will deposit Rs. 4000/-(Rupees Four Thousand) which can be withdrawn by the Block Development Officer, Narkatiyaganj, who is the informant and should hand it over to the person from whom the money was taken and an affidavit should be filed by the Block Development Officer along with the receipt to show that such money has been returned to him.

However, it is made clear that this deposit of Rs. 4000/- will be subject to the result and without prejudice to the petitioner of the petitioner which he would be taking in the criminal trial.

SC/-

(Dr. Ravi Ranjan, J)

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