

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3885 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Anil Sah Son of late Kishun Sah Resident of Village -Bakarpur, P.s Kalyanpur, District East Champaran.
 2. Niraj Kumar son of Krishna Nandan Singh resident of Village -Jihuli, P.s Patahi, District East Champaran.
 3. Jai Prakash Jaiswal Son of late Jagdish Prasad, Resident of village-Harapganj, P.s Sahayak, District katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ambika Bhagat(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners being contractor of mid-day-meal of the school, petitioner no. 2 being teacher of the school and petitioner no. 3 being Block Education Extension Officer are apprehending arrest in a case registered for the offences punishable under Sections 341,323,353,504 and 506 of the Indian Penal Code and section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the Deputy Superintendent of Police intercepted eight vehicles carrying

rice of mid-day-meal when the informant being chowkidar was directed by the Deputy Superintendent of Police not to allow the vehicles to proceed, in the meantime, on the order of the BEO the vehicles were being taken away which was protested by the informant when the petitioners abused the informant.

It is submitted by the learned counsel for the petitioners that there is nothing on record to suggest that any case was instituted or any documentary proof was there with the informant to keep the vehicles standing on the road. The accusation of abusing is omnibus and general and for the occurrence of 28.11.2015 the FIR was registered on 4.12.2015. Statement has been made in paragraph 3 of the petition that the petitioner nos. 1 and 3 have no criminal antecedent, however, petitioner no. 2 is accused in one case but he is on bail.

Considering the delayed lodging of the case and the nature of accusation, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like

amount each to the satisfaction of learned ACJM, VIII, East Champaran, Motihari in connection with Patahi P.S. Case No. 196 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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