

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28942 of 2016

Arising Out of PS.Case No. -27 Year- 2016 Thana -KARPI District- JEHANABAD

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Nawalkishor Pathak son of Dudheshwar Pathak, resident of village-
Barsima, P.S.- Alipur, District.- Gaya, at present - Panchayat Secretary,
Kayal Panchayat, P.S- Karpi (O.P.- Sahar Telpa) District- Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms Rashmi Kumari Mandilwar, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 26-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Karpi (Sahar Telpa) P.S. Case No.27 of 2016 registered under
Sections 420 and 406 of the Indian Penal Code.

The petitioner was handed over charge of Kayal
Panchyat on 8.9.2012. By order dated 25th July, 2013 the erstwhile
Panchayat Secretary, namely, Madan Prasad, was directed by the
Block Development Officer, Karpi to hand over complete charge
of Kayal Gram Panchayat to the petitioner. The charge was never
handed over to the petitioner by said Madan Prasad and it would
be apparent from the order dated 25th February, 2016 issued under

the signature of Block Development Officer, Karpi that since said Madan Prasad had died, his son Suraj Kumar handed over the charge of Kayal Panchayat to the petitioner on or after 25th February, 2016. It is also submitted that the FIR was lodged in utter haste and, by now, the entire records have already been produced by the petitioner before the authority concerned.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner, namely, Nawalkishor Pathak, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Karpi (Sahar Telpa) P.S.Case No.27 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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