

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58444 of 2015

Arising Out of PS.Case No. -216 Year- 2015 Thana -AKBARPUR District- NAWADA

1. Brij Bihari Paswan Son of Late Krishna Bihari Paswan R/o Railway Station Purani Mal Godown, Rang bahadur Road, P.S. Kotwali, District Gaya

2. Shyam Sunder Paswan Son of Late Manik Chand Paswan R/o Village Panchrukhi, P.S. Akbarpur, District Gaya

3. Vikash Kumar Son of Late Charkhu Singh R/o Station Road, Purani Mal Godown, Murali Hil, P.S. Kotwali, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Dilip Kumar(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

3 06-05-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 467/468/471/419/420/506 and 120B of the Indian Penal Code.

Learned counsel for the petitioners submits that though an allegation has been made against these petitioners, the charges so levelled are purely frivolous and no case against the petitioners are made out. It is further submitted that earlier Md. Aftab Alam, the informant of the case, had informed the office bearer of the situation about absence of some staffs and had requested them to take appropriate action for their unauthorised absence. It was only to save their own skin that the present allegations have been made against the petitioners who are the office bearers and the case was lodged against the petitioners.

Considering the nature of allegations made and that the matter is being tackled administratively, no criminal prosecution can be attracted without there being a clear finding against these petitioners and also because there being no further material in the case diary, let the petitioners above named, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, II Nawada in connection with Akbarpur P.S. Case No. 216/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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