

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18751 of 2017

Arising Out of PS.Case No. -266 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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Kishori Rai Son of late Bikau Rai, Panchayat Secretary Gram Panchayat
Reva Basantpur South, Resident of Village-Changel, P.S.-Katra, District-
Muzaffarpur,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Sri Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-05-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Saraiya P.S. Case No. 266 of 2016, registered for offences punishable under Sections 175, 188 and 406 of the Indian Penal Code.

The allegation against the petitioner is that he has not deposited the merit list despite the direction of the authorities, as such, the present case has been lodged.

It has been submitted on behalf of the petitioner that when the petitioner has taken over charge, no merit list was handed over to him and he has informed about the same to the Officer concerned which will appear from Annexure-3 to the application and the Block Education Officer has submitted the list



to the District Programme Officer (Estab.) which will appear from Annexure-4 and as such, no case is made out against the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the statements made above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Saraiya P.S. Case No. 266 of 2016, G.R. No. 1849 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.



(iii) After investigation, if something serious incriminating comes against the petitioner, the prosecution shall be at liberty to move for cancellation of his bail bonds.

With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

S.Pandey/-

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