

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20380 of 2017**

Arising Out of PS.Case No. -245 Year- 2014 Thana -MOHIUDDIN NAGAR District-  
SAMASTIPUR

=====

Md. Arif Son of Abul Kasim @ Md. Abdul Kasim, Resident of Village-  
Tendhi Bazar, P.S.- Mohiuddinnagar, District- Samastipur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Adv.

For the Opposite Party/s : Sri Akshay Lal Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR**  
**UPADHYAY**  
ORAL ORDER

2      07-06-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is appending his arrest in connection  
with Mohiuddinnagar P.S. Case No. 245 of 2014 registered for  
offences under sections 406 and 420 of the Indian Penal Code.

The Block Development Officer of Mohiuddinnagar  
(Samastipur) is the informant of the said First Information Report.  
F.I.R. was lodged with regard to alleged installation of 14 solar  
lights in the year 2006-07 and in the year 2008-09 from the  
Government fund.

The counsel for the petitioner submitted that the life  
of the battery of solar light is only two years. The alleged solar



lights were installed in the year 2006-07 and in the year 2008-09 and due to lapse of keeping maintenance and expiry of life of the battery, solar lights which were functioning earlier, stopped functioning and as such, no liability can be made on the petitioner, Ex-Mukhiya of Gram Panchayat Raj, Mohiuddinnagar.

In para-3, the petitioner has stated that he has no criminal antecedent.

Having regard to the facts and circumstances mentioned above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail on his furnishing bail bond of Rs.10,000/-with two sureties of the like amount each to the satisfaction of Sri Vivek Bhardwaj, Judicial Magistrate 1st class, Samastipur/Successor Court in connection with Mohiuddinnagar P.S. Case No. 245 of 2014, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code.

**(Anil Kumar Upadhyay, J)**

Mahesh/-

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