

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38426 of 2017

Arising Out of PS.Case No. -123 Year- 2012 Thana -HARLAKHI District- MADHUBANI

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1. Shiv Kumar Thakur, Son of Gargu Thakur @ Garbhu Thakur, Resident of Village Mahadeopatti, P.S. Harlakhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kripa Nand Jha

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2017

Heard the parties.

The petitioner is apprehending arrest in connection with Harlakhi P.S.Case No.123 of 2012, registered for offences punishable under Sections 406, 409 and 34 of the Indian Penal Code.

Allegation against the petitioner is of illegality in distribution of Solar Scheme in the year, 2010. It further appears that a complaint petition was referred to the police for registration of the case and thereafter the present case has been registered against the petitioner.

Submission of the learned counsel for the petitioner is that no specific allegation has been attributed against the petitioner it is not stated that when such distribution was made and he has been made accused in this case. Another co-accused person having similar allegation has been granted bail, vide order dated



13.7.2017 passed in Cr. Misc. No.30047 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhubani in connection with Harlakhi P.S.Case No.123 of 2012, 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 local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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