

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36835 of 2017

Arising Out of PS.Case No. -145 Year- 2016 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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Awadhesh Rai @ Abadhesh Rai S/o Andulal Rai, resident of village -
Simary, P.S. - Vidyapati Nagar, Distt. - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Surya Narayan Roy Mr. Ashok Kumar Singh, Advocates.
For the State	:	Mr. Narsingh Tanti, APP
For the Informant	:	Mr. Lakshmindra Kumar Yadav Mr. Prabha Narayan Prabhakar, Advocates.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-102017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.05.2017 in connection with Vidyapati Nagar P.S. Case No. 145 of 2016 for the offences alleged under Sections 341, 353, 427, 385 and 506 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as being the elected ward member he was discharging his duty for purposes of inspection of the Anganbari Kendra in question. The F.I.R. has been instituted after a delay of two days on 24.12.2016 for the alleged occurrence of 22.12.2016 which casts doubt on the veracity of the allegation. It is further stated that in



the meeting dated 24.12.2016, the Mukhiya, Sarpanch and other members of the Panchayat have expressed unanimously that the Anganbari Sevika had falsely implicated the petitioner and she had herself torn up the THR Distribution Register.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, Dalsinghsarai, Samastipur, in connection with Vidyapati Nagar P.S. Case No. 145 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at



liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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