

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30047 of 2017

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

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Basant Jha @ Basant Kr. Jha, Son of Late Daya Nand Jha, resident of
Village and P.S.- Rahika, 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, Advocate.

For the Opposite Party/s : Smt. Pronati Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Harlakhi P.S.

Case No. 123 of 2012 instituted for the offence under Sections
406, 409 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
he is Panchayat Sewak. The occurrence is said to have taken place
in the year 2010 whereas this case has been filed in the year 2012.

From the written report there is general and omnibus
allegation made by the informant that this petitioner along with
other co-accused has committed irregularity in allotment of solar
light under the scheme of Rural Development and decision of
Gram Sabha. Besides this vague and general allegation, there is
nothing against the petitioner.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Harlakhi P.S. Case No. 123 of 2012, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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