

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33566 of 2016

Arising Out of PS.Case No. -290 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

Gauri Shanker Prasad Gupta, son of Baidyanath Prasad, resident of Village:
Dihu Tola, Madhuban, P.S: Madhuban, District: East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Rajeev Nayan, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 25-04-2017 Heard both sides.

The petitioner apprehends his arrest in Motihari Town P.S. Case No. 290/2016, registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) and 34 of the Indian Penal Code.

The allegation against the petitioner is that he recommended centre for appointment to the post of Tola Sewak although the centre where the appointment of Tola Sewak is to be done is not confirmed.

Learned counsel for the petitioner submits that Veena Kumari was working as Tola Sewak which fell vacant on account of sad demise of Veena Kumari and therefore he recommended for



01 post of Tola Sewak, but no appointment was made accordingly no loss was caused to the government exchequer. It is further submitted that no offence under any sections of the Indian Penal Code is made out against the petitioner.

Considering the facts aforesaid and the fact that petitioner recommended for appointment of 01 post of Tola Sewak which fell vacant on account of sad demise of Veena Kumari, but no appointment was done so no loss was caused to the government exchequer, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town P.S. Case No. 290/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--

