

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28832 of 2017

Arising Out of PS.Case No. -165 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Shri Niranjan Chaudhary @ Niranjan Chaudhary Son of Ram Parikshan Chaudhary, Resident of Village Rahimpur Nayatola, Police Station Muffasil, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and the learned APP appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Khagaria (Chitragupta Nagar) P.S. Case No.165 of 2017 registered under Sections 181/188/420 of the Indian Penal Code.

Allegation in brief is that this petitioner while submitting nomination as a candidate for contesting election of *Mukhiya* concealed the fact regarding his criminal antecedents.

Learned counsel for the petitioner submits that the petitioner could not read the contents of the affidavit, though he has criminal antecedents but those are due to land dispute and moreover on account of concealment of the said fact, his nomination could have been cancelled, in any way he was not



elected in the election and Sections 181 and 188 of the Indian Penal Code are bailable offences and no *prima facie* case under Section 420 of the Indian Penal Code is made out.

Having considered the fact that nature of allegation only relates regarding his concealment of criminal antecedents in the affidavit, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Chitragupta Nagar) P.S. Case No.165 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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