

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5521 of 2018

Arising Out of PS.Case No. -101 Year- 2017 Thana -BELA District- SITAMARHI

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1. Renu Devi wife of Binod Singh, Resident of Village- Baya, P.S.- Bela, District- Sitamarhi.
 2. Nagendra Rai @ Nagendra Ram, son of Late Pyare Ram, Resident of Village- Baya, P.S.- Bela, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with Bela P. S. Case No. 101 of 2017 registered under Sections 193, 196, 260, 166, 167, 323, 465, 467, 468, 477, 420 and 120-B of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that a malicious prosecution has been launched by the informant on whose complaint the first information report has been instituted pursuant to the order passed by the learned Magistrate in exercise of power conferred under sub-section (3) of Section 156 of the Cr.P.C. He submitted that the informant had also participated in the selection process, but it was the



petitioner no. 1, who was selected for the post of Sevika by the Child Development Project Officer of the Block after following due process of guidelines issued by the State Government. Being aggrieved by the selection of the petitioner no. 1, the informant moved before this Court and filed a writ petition vide CWJC No. 6017 of 2015, which was dismissed vide order dated 08.12.2016 and, thereafter, the instant complaint was instituted on 07.02.2017 for a selection which was made on 28.01.2015.

Learned Additional Public Prosecutor for the State opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering the nature of allegation and the submissions made above, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sitamarhi in Bela P. S. Case No.101 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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