

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24459 of 2018

Arising Out of PS. Case No.-5 Year-2016 Thana- SAUR BAZAR District- Saharsa

Jhakas Mukhiya @ Jhakash Mukhiya @ Zakas Mukhiya, Son of Narayan Mukhiya Resident of Village-Zirwa (Ward No.14) P.S. Sour Bazar (Pastpar Police Camp), District -Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate

For the Opposite Party : Mr. Arun Kumar Singh -5 (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner, learned counsel for the informant and also learned counsel for the State.

The petitioner apprehends his arrest in connection with Sour Bazar (Police Camp Pastpar) P.S. Case No. 05 of 2016, registered for the offences punishable under Sections 420, 467, 468, 471 of the Indian Penal Code.

Allegedly, the petitioner put the cheque of Indira Awas of Shanti Devi and ultimately through Biren Yadav the said cheque was kept by Mahendra Charan Yadav the husband of panchayat samiti.

Submission is of false implication and that main allegation is against Mahendra Charan Yadav and that Mahendra Charan Yadav has already been allowed pre-arrest bail vide Cr.



Misc. No. 19171 of 2016 by order dated 16.05.2016 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration as there is no chance that the petitioner will be tampering with the evidence or fleeing from the course of justice.

The learned A.P.P. fairly submits that vide Annexure-2, co-accused Mahendra Charan Yadav had already been allowed bail by another co-ordinate Bench of this Court.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 learned Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar (Police Camp Pastpar) P.S. Case No. 05 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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