

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62395 of 2018

Arising Out of PS. Case No.-261 Year-2017 Thana- RIGA District- Sitamarhi

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1. Manorma Devi @ Manorama Prasad (The Then Mukhiya, Kushmari Panchayat, Riga) Wife of Devki Nandan Prasad
 2. Anshu Babu@ Pankaj Anand Son of Devki Nandan Prasad
 3. Sangita Suman Wife of Mahichand Mahto
 4. Mahichand Mahto@ Mahindra Mahto Son of Kishuni Mahto All Residents of Village: Kushmari, P.S. Riga, District: Sitamarhi.
 5. Binod Ram@ Vinod Ram, the Then Panchayat Secretary, Riga Son of Gorakh Ram Resident of Village: Kishanpur, P.S. Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Renu Sinha Wife of Amod Kumar Mahto Residents of Village: Kushmari, P.S. Riga, District: Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh
For the Opposite Party/s : Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2018 Heard learned counsels for the parties.

The petitioner no.1, being Mukhiya, petitioner nos.2 to 4 being Ward Members and petitioner no. 5 being Panchayat Secretary are apprehending arrest in a case registered for the offences punishable under Sections 166,167,168,468,471,420 and 506 of the IPC.

It is alleged that on 16.7.2016 at about 10 A.M. the informant submitted an application for for appointment on the post of Anganbari Sevika before petitioner no. 1, the then Mukhiya of the Panchayat in presence of petitioner no.



2 Anshu Babu alias Pankaj Anand and petitioner no. 5 Binod Ram, the then Secretary of Kushmari Panchayat, who demanded Rupees Seventy Thousand for the said appointment. The informant refused to make payment of such amount. Though the informant submitted document supporting her case to be better placed than other candidates but the informant was not appointed whereas other candidate having lesser qualification got appointed.

It is submitted by learned counsel for the petitioners that for the occurrence of 2016, the FIR was registered in 2017. There is no proof with regard to such payment and admittedly, the payment was not made by the informant. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the delayed lodging of the case and speculative nature of accusation, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Riga P.S. Case No.261 of 2017 subject to the conditions laid down in Section 438(2)



of the Cr.P.C.

(Dinesh Kumar Singh, J)

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