

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39995 of 2018

Arising Out of PS.Case No. -51 Year- 2018 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Sita Ram @ Shri Sitaram Paswan @ Sita Ram Paswan, Son of Late Jagdeo Ram, at present B.A.O. Patahi Block, P.S.- Patahi, Distt- East Champaran, Resident of Village- Gopalpur Newava, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Adv.

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-07-2018 Heard both sides.

The petitioner apprehends his arrest in Patahi P.S. Case No. 51/2018, registered for the offences punishable under Section 409 of the Indian Penal Code and sections 51(a), 51(b) of the Disaster Management Act.

Learned counsel for the petitioner submits that the petitioner was entrusted to check the application and get it verified from Kisan Salahkar/Krishi Samanvyak and submit report and advice to the Circle Officer. The petitioner is alleged to have committed negligence in verification of the application and did not submit the advice in time for that police case has been lodged. It is



submitted that the petitioner did not commit any negligence and if at all any negligence is committed by the officer; no offence under Section 409 of the Indian Penal Code can be made out. At best, the disciplinary action can be taken against him.

Considering the facts aforesaid, 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, Motihari, East Champaran in connection with Patahi P.S. Case No. 51/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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