

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17166 of 2018

Arising Out of PS.Case No. -173 Year- 2017 Thana -AMAU District- PURNIA

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Dhiren Sah @ Direndra Prasad Sah @ Dhirendra Prasad Sah, Son of Rahi Lal Sah, Resident of Village Dahuwa Bari, P.S. Amour, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party/s : Mr. Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Amour P.S.**

Case No. 173 of 2017 instituted for the offence under Sections 323, 341, 354, 406, 420 and 34 of the Indian Penal Code.

In the written report the informant has alleged that petitioner who is husband of Ward member on pretext to get employment as Asha worker, took money from the informant. Thereafter, appointment letter was given to the informant by wife of this petitioner. But no such document in support of payment of money or issuance of any appointment letter has been enclosed with the written report.

The counsel for petitioner submits that Incharge Medical Officer of Primary Health Centre is empowered to



appoint Asha worker. There is no role of Ward member in appointment of Asha worker.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Amour P.S. Case No. 173 of 2017**, he shall be released on anticipatory 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, Purnea**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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