

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36060 of 2018

Arising Out of PS.Case No. -66 Year- 2018 Thana -CHAUTHAM District- KHAGARIA

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Upendra Singh, son of Anup Lal Singh, resident of village- Pitaunjiya,
Police Station- Gogri, District- Khagaria, the then Panchayat Secretary, at
present Block Parbatta.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Chautham P.S. Case No.66 of 2018 registered under Sections 406
and 409 of the Indian Penal Code.

It is submitted that save and except stating that
irregularities were committed in purchase of Solar light, no detail
of irregularities has been mentioned in the FIR. It is also not clear
that those purchase were made in which year. It is submitted that
the petitioner is posted at Kebela Panchayat, Block Parbatta in the
district of Khagaria. From perusal of the FIR there appears to be
no material highlighting his culpability in the alleged offence.



Lastly, it is contended that co-accused Smt. Alkhi Devi and sixteen other named in the FIR have already been granted pre-arrest bail by a Bench of this Court on 07.06.2018 in Cr. Misc. No.34179 of 2018 and another co-accused Md. Sahmat Hussain has also been granted pre-arrest bail by a Bench of this Court vide order dated 20.06.2018 passed in Cr.Misc. No.36460 of 2018.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner. However, he admits that other co-accused persons having more or less identical allegation have already been granted pre-arrest bail.

In that view of the matter, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to 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 Judicial Magistrate, 1st Class, Khagaria in connection with Chautham P.S. Case No.66 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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