

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15474 of 2019

Arising Out of PS. Case No.-458 Year-2018 Thana- ATRI District- Gaya

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NARESH PRASAD @ NARESH YADAV Son of Doman Prasad, Resident of
Village- Nehora, P.S.- Konch, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9824 of 2019

Arising Out of PS. Case No.-458 Year-2018 Thana- ATRI District- Gaya

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URMILA DEVI W/o Sri Bipin Kumar R/o Village- Shivilal Bigha, P.S- Atri,
District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 15474 of 2019)

For the Petitioner/s : Mr.Kiran Sinha

For the Opposite Party/s : Mr.Ajay Mishra

(In CRIMINAL MISCELLANEOUS No. 9824 of 2019)

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Ajay Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-06-2019 Both the cases are being take up together for disposal
as both arises out of same P.S.case number.

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection
with Atri P.S.Case No.458 of 2018 dated 30.12.2018 , registered
for offences punishable under Sections 420, 467, 468, 471,



120(b) of the Indian Penal Code.

Petitioner of Cr. Misc. No.15474 of 2019 is the then Panchayat Secretary and the petitioner of Cr. Misc. No.9824 of 2019 is the then Mukhiya and allegation against them is that they appointed one Rubi Kuamri without verifying her documents and later on the Vigilance Deptt. verified the documents and her documents were found to be forged.

Submission of the learned counsel for the petitioners is that petitioner of Cr. Misc. No.15474 of 2019 was the Panchayat Secretary and he handed over the documents to another Panchayat Secretary on 15.6.2017, which will appear from Annexure 2 and after 1 ½ years, the present case has been lodged and he is ready to co-operate in the investigation and trial also.

On the other hand the learned counsel for petitioner of Cr. Misc. No.9824 of 2019 has submitted that he is Mukhiya whereas the Panchayat Secretary is liable to verify the documents.

Heard learned A.P.P. , who has opposed the prayer for bail but admitted that the investigation has been completed in this case and other accused persons have also been granted privilege of anticipatory bail.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners of both the cases, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM XII, Gaya in connection with Atri P.S.Case No.458 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that they will co-operate in the trial and shall appear as and when required otherwise the prosecution is at liberty to move for cancellation of their bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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