

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70627 of 2018**

Arising Out of PS. Case No.-80 Year-2018 Thana- ARA MUFFSIL District-
Bhojpur

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Sunil Kumar Sharma Son of Sri Sukhdeo Sharma, Resident of Village-
Kadari, P.S.- Dhobaha (O.P), District- Bhojpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 28-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 409, 406, 420, 467/34, 468 of the Indian Penal Code registered in connection with Ara Muffasil (Dhobaha O.P.) P.S. Case No. 80 of 2018.

3. It is submitted that the petitioner happens to be the then Mukhiya has been falsely implicated along with co-accused Uma Shankar Sahu (Panchayat Secretary) and Dinesh Kumar. C.W.J.C. No. 1507 of 2017 was filed by the said Panchayat Secretary, Uma Shankar Sahu alleging, *inter alia*, that the Block Panchayati Raj Officer has demanded bribe and the *status quo* has been directed by this court by order dated 25.04.2018. It is therefore submitted that a false case has been instituted and the petitioner had not defalcated the Government money as alleged. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from



the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara, Bhojpur in connection with Ara Muffasil (Dhobaha O.P.) P.S. Case No. 80 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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