

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36894 of 2019

Arising Out of PS. Case No.-443 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. MANDAKANI @ MANDAKNI DEVI Wife of - Vikas Kumar Chaudhary @ Bikash Kumar Chaudhary Resident of Village- Sujatpur, P.S.- Madhwapur, District- Madhubani.
 2. Vikas Kumar Chaudhary @ Bikash Kumar Chaudhary Son of Radha Kishore Chaudhari Resident of Village- Sujatpur, P.S.- Madhwapur, District- Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sumitra Devi Wife of Rajendra Sada Resident of Village- Sujatpur, Mushhari, P.S.- Madhwapur, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar
For the State	:	Mr. Ram Bilash Roy 'Raman'

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-06-2019 Heard learned counsel for the parties.

This is an application for grant of anticipatory bail in connection with C.R. Case No. 443 of 2017 corresponding to T.R.No. 1995 of 2018, disclosing offences under Sections 341, 323, 354B, 353 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that petitioner no.1, who is Mukhiya of the Gram Panchayat, had filed a complaint petition on 11.12.2017 in respect of an occurrence which had taken place on 09.12.2017, alleging that the Panchayat Secretary had indulged in distributing the flood



relief items among people without authority. The complaint case is said to have been filed on 18.12.2017 by a villager alleging that the Panchayat Secretary was distributing the empty bags on 09.12.2017, which was objected to by the Mukhiya, the informant of Madhwapur P.S. Case No. 100 of 2017.

It is evident from the complain petition that the occurrence is of 09.12.2017 for which a complaint petition came to be filed on 18.12.2017.

Considering the nature of allegation and other facts, as noted above, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of Sri P.Kishore, Judicial Magistrate 1st Class, Benipatti, Madhubani in connection with C.R. Case No. 443 of 2017 corresponding to T.R.No. 1995 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions,



their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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