

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4077 of 2019

Arising Out of PS. Case No.-368 Year-2018 Thana- SASARAM NAGAR District- Rohtas

1. Kanchan Devi wife of Binod Kumar
 2. Binod Kumar son of Mathura Prasad
- Both are Resident of village-Fajalganj, Ward No.11 Police Station-Sasaram Model, Distirct-Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioner No. 1, in the present case, is the Chairperson of Sasaram Municipality whereas petitioner No. 2 is the husband of petitioner no. 1 who are seeking anticipatory bail in connection with Sasaram (T) Model P.S. Case No. 368 of 2018 registered under Sections 341, 342, 323, 365/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is an allegation in the First Information Report that when the informant went to the office of Nagar Parishad, Sasaram for submission of tender papers which he had submitted online, he was intercepted by one office staff who told him to meet the Executive Officer. It is alleged that when the informant went to



the Chambers of Executive Officer and wanted to obtain her consent for submission of paper, she called one Bimlesh Nayak in the office and thereafter two others persons came who took him to the Chambers of the Chairman where he was confined in room till 2.30 P.M.

Learned counsel for the petitioners submits that it is a case of false implication as in case the informant had submitted online tender, there was no need for his personal visit to the office of the Nagar Parishad, Sasaram as he could have very well submitted the hard copy of the tender through post.

Learned A.P.P. for the State is present and has pointed out that two more cases have been lodged against the petitioners as stated in paragraph-3 of the application, but at this stage learned counsel for the petitioners has placed before this court a copy of the order dated 28.01.2019 passed in Cr. Misc. No. 4289/2019 by a learned coordinate Bench of this court by which the petitioners have been granted privilege of anticipatory bail in connection with Sasaram (T) Model P.S. Case No. 366/2018 under Section 341, 342, 323, 379 and 365/34 of the Indian Penal Code.

Considering the nature of allegations and submissions of the petitioners that there is no specific allegations attributing



any act or omission against these petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, in connection with Sasaram (T) Model P.S. Case No. 368 of 2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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