

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17114 of 2022

Arising Out of PS. Case No.-469 Year-2021 Thana- RAXAUL District- East Champaran

RAJ KISHORE PRASAD S/o Late Kamal Das Resident of Mouze- Mai
Sthan, Ward No. 15, P.S.- Raxaul, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17635 of 2022

Arising Out of PS. Case No.-469 Year-2021 Thana- RAXAUL District- East Champaran

KASHINATH PRASAD Son of Late Shiv Prasad Sah Resident of Village -
Raxaul, Mauze, Ward no.13, P.s.- Raxaul, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 19568 of 2022

Arising Out of PS. Case No.-469 Year-2021 Thana- RAXAUL District- East Champaran

GAYATRI DEVI W/o Awadhesh Kumar Pandey Resident of Mohalla- Sabji
Bazar Raxaul, Ward No.21, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 17114 of 2022)

For the Petitioner/s : Mr.Sanjay Singh. Sr. advocate

For the Opposite Party/s : Mr.Uday Chand Prasad

Mr. Dhanendra Choubey

(In CRIMINAL MISCELLANEOUS No. 17635 of 2022)

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

Mr. Dhanendra Choubey

(In CRIMINAL MISCELLANEOUS No. 19568 of 2022)

For the Petitioner/s : Mr.Rudrank Shivam Singh

For the Opposite Party/s : Mr.Ramchandra Singh



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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-11-2022 Since all these anticipatory bail petitions arise out of same P.S. case they have been heard together and are being disposed by this common order.

Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 406/ 409/ 34 of the Indian Penal Code.

As per the prosecution case, pursuant to order of the District Magistrate, East Champaran, Motihari dated 25.11.2021 present FIR was registered against all the named accused persons, including these petitioners, that they committed irregularity in purchasing the land for slaughter house and caused huge loss to the Government exchequer.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is submitted that petitioners of Cr. Misc. No. 17114 of 2022 and 19568 of 2022 were members of the Standing Committee, Nagar Parishad, Raxaul whereas petitioner of Cr. Misc. No. 17635 of 2022 was Vice Chairman of the Standing Committee. It is further submitted that it was the collective decision of the empowered Standing Committee to purchase the



land for slaughter house. The Chairman and Executive Officer thereafter initiated a process for calling for bids and selection of land for the said purpose. Petitioners were never associated with the decision making process for the purchase of land or associated with any other process in this regard, that is, tender process, the execution of agreement or transfer of money to the vendors whose land had been selected for such purchase. It is also submitted that Petitioners have got clean antecedent.

Learned counsel appearing for the State and the informant opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub divisional Judicial Magistrate, Raxaul, East Champaran in connection with Raxaul PS case No. 469/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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