

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30718 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- ITARHI District- Buxar

Shri Yogesh Mishra @ Yogesh Mishra @ Ugesh Kumar Mishra Son Of Kripa Shankar Mishra @ Sri Kripashankar Mishra R/O Village - Kamarpur, P.O.- Umaidpur, P.S.- Brahampur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33050 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- ITARHI District- Buxar

MD SHAKIB ALAM Son of Manjar Alam Resident of Village - Khetari, P.s.- Ara (Town), Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30718 of 2022)

For the Petitioner/s : Mr. Arvind Kumar Pradhan

For the Opposite Party/s : Ms. Shaheen Begum

(In CRIMINAL MISCELLANEOUS No. 33050 of 2022)

For the Petitioner/s : Mr.Sanjay Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.



The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 420, 406, 409 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that petitioners has complied the application dated 04.01.2021 District Officer, Buxar for re-enquiry in the matter saying that due to coming panchayat election matter said false application was given in the matter, taking to village politics and enmity for trapping him into trouble and thereafter by order dated 16.03.2021 matter has been ordered to be re-enquired. He submits that thereafter re-enquiry in matter, enquiry reports have been submitted by the said teams upon which District Officer,s Buxar issued an order dated 09.02.2022 canceling officer order dated 30.12.2020 imposing Rs.10500/- penalty for not displaying notice board on work site and thereafter the petitioner has been made payment through bank deposit of the said penalty fallen under his liability. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case



and the fact that petitioners have complied the order dated 30.12.2020, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Itarhi P.S. Case No. 40 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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