

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54098 of 2021

Arising Out of PS. Case No.-345 Year-2020 Thana- GHORASAHAN District- East
Champaran

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Mukesh Kumar Son Of Ram Bahadur Rai Resident Of Village - Inarwa,
Phulwa, P.S.- Ghorasahan (Lakhaura), Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-06-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner 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 petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 420, 467,
468, 471, 120B/34 of the Indian Penal Code.

The FIR has been lodged on the basis of order dated
17.06.2020 passed in Misc. Appeal No. 03/2019 in the Court of
Collector-cum-District-Magistrate, East-Champaran, Motihari in
Rukasana Khatoon versus State & others in which the selection
of Sapna Kumari “Panchayat Sevika” was cancelled and



because the documents in support of her candidature deposited by her was found suspicious, and direction was given to lodge the F.I.R. against President of Selection Committee and 'Ward' member Mukesh Kumar of 'Ward no.-4, 'Panchayat' Inarwa, Fulwari and the secretary 'Bal Vikash Pariyojana Padadhikari' of Selection Committee, Balgadwa Krishna Gupta.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that the selection was found to be correct by the District Programme Officer, East Champaran but in appeal the District Magistrate found the selection to be illegal. He submits that no forgery has been committed by the petitioner and neither there is any finding that the petitioner has benefited from any such wrong selection. He submits that the said appointment was in the year 2013 but FIR has been lodged in the year 2020. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the fact that there is no specific allegation against the petitioner, let the above named petitioner



in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Ghorasahan (Lakhaura) P.S. Case No. 345 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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