

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60806 of 2023

Arising Out of PS. Case No.-278 Year-2022 Thana- MADANPUR District- Aurangabad

Ramswaroop Ram Son Of Karu Ram Resident Of Village- Mithaiya, Ps-
Madanpur, Distt- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Adv

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

1. The petitioner is apprehending his arrest in connection with Madanpur P.S. Case No. 278 of 2022 registered for the offence punishable under Sections 420, 409 and 385 of the Indian Penal Code.

2. Based on an inquiry conducted by the Deputy Collector regarding some irregularity in dissemination of financial benefits under the housing scheme for the poor, the Block Development Officer has lodged an FIR. The petitioner is a ward member and in the inquiry, one Ruby Devi alleged that she had paid Rs. 6,000/- for availing the benefits.

3. Based on such accusations, it is submitted by learned counsel for the petitioner that the petitioner has been



implicated in this case. Ruby Devi has not come forward to lodge any case against the petitioner whose statement has been considered by the Duty Collector in his inquiry. The petitioner, by virtue of his political status, has been implicated on extraneous considerations, though he has no antecedents.

4. Learned APP for the State has opposed the prayer for pre-arrest bail.

5. Considering the rival submissions, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

6. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 278 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors
will be a close relative of the petitioner
who will give an affidavit giving



genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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