

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68973 of 2022

Arising Out of PS. Case No.-249 Year-2017 Thana- LADANIA District- Madhubani

Shyam Kamat Son of Bedi Kamat @ Virulal Kamat R/V- Marnaiya
(Kumarkhat) P.S- Ladaniya, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vikash Kumar Jha Son of Late Manoj Jha R/V- Suri Aujha tol, P.S-
Bahwara, Dist- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-04-2023 Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing on
behalf of the State.

Let the defect(s), as pointed out by the office, be removed
within a period of four weeks from today.

The accused/petitioner is named in the F.I.R. and
apprehend his arrest in connection with Ladaniya P.S. Case No. 249
of 2017 registered for the offences punishable under Sections 406,
420, 384, 504 and 506 of the Indian Penal Code (in short 'I.P.C.').

The allegation against this petitioner is to avail benefit of
Government allotted hand-pump which was otherwise allotted in the
name of Shyma Kamat son of Kapleshwar Kamat.

Learned counsel appearing on behalf of the petitioner



submitted that the labour of the department under confusion, as the name of the allottee and the petitioner are same, supplied hand-pump materials to this petitioner. It is admitted position that the name of beneficiary is also Shyma Kamat. It is submitted that occurrence admittedly committed due to mistake of labour as per the narration of F.I.R. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP for the State opposes the prayer of bail.

Considering the aforesaid facts and circumstances as mentioned above, as occurrence is appears due to mistake of labour, where petitioner is a man of clean antecedent, let the above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Madhubani/concerned Court, where the case is pending in connection with Ladaniya P.S. Case No. 249 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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