

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36826 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- SINDHIYA District- Samastipur

Jagarnath Poddar @ Jaganath Pauddar @ Jagannath Pauddar Son of Jayvir Poddar Resident of Village - Jamua Wari(Bari), P.S. - Singhiya, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 471 of the IPC in connection with Singhiya P.S. Case No.35 of 2024.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant. It is further submitted that petitioner based on his caste certificate had contested the election of Mukhiya and won twice, but after the petitioner won the election of Mukhiya for the second time a complaint came to be instituted with respect to his caste certificate that he belongs to the caste of 'Baniya' and not



‘Kanu’, based on which his caste certificate was examined by the Caste Scrutiny Committee and it was found that the petitioner does not belong to ‘Kanu’ caste.

4. It is next submitted that since Caste Scrutiny Committee held that the petitioner does not belong to ‘Kanu’ caste, as such his Mukhiyaship was terminated. It is further submitted that petitioner has challenged the order of the Caste Scrutiny Committee before this Court in a writ proceeding. It is also submitted that it is not the case of the prosecution that petitioner contested the election of Mukhiya based on forged and fabricated caste certificate, rather the same was issued by the Circle Officer based on documentary evidence and the petitioner is contesting the same before this Court in a writ proceeding.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate, Ist Class, Rosera, Samastipur in connection with Singhiya P.S. Case No.35 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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