

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36801 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- SAHPUR District- Bhojpur

Jayram Sah Son of Late Dasai Sah Resident of Village - Madhopur, P.S.-
Shahpur, District - Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Shrivastava, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-08-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in connection with
Shahpur P.S. Case No. 10 of 2024 registered under Sections
420, 467, 468 and 120-B of the Indian Penal Code.

3. As per prosecution case, petitioner got elected on the
post of Mukhiya on the basis of false caste certificate.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case due to previous enmity and
grudge. Further submission is that petitioner belongs to Kanu
caste; hence, Circle Officer, Shahpur, Bhojpur issued a caste
certificate of Kanu caste in favor of the petitioner bearing no.
BCCC0/2021/1072965 dated 20.02.2021, and the petitioner
comes under the Extremely Backward Category and contested



the election and got elected Mukhiya. It is next submitted that on the application of one Rameshwar Prasad Gupta, the caste certificate was cancelled vide letter no. 1815 dated 26.11.2022, which has been challenged before this Hon'ble Court by the petitioner vide C.W.J.C. No. 16409 of 2022. Learned counsel lastly submits that pursuant to the order dated 13.12.2023 passed in Case No. 01 of 2023 by the State Election Commissioner of Bihar, the petitioner has already been removed from the post of Mukhiya. Petitioner claims clean antecedent.

5. Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bhojpur at Ara in connection with Shahpur P.S. Case No. 10 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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