

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42692 of 2014

Arising Out of PS.Case No. -71 Year- 2014 Thana -BARIYARPUR District- MUNGER

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Praveen Kumar Son of Late Tarni Prasad Mandal resident of village -
Gauripur, Police Station - Nayaram Nagar, District - Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.43135 of 2014

Arising Out of PS.Case No. -71 Year- 2014 Thana -BARIYARPUR District- MUNGER

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Sahab Kumar @ Sahab Kumar Paswan son of Narayan Singh @ Narayan
Paswan, resident of Village-Paukry, P.S.-Sambhugunj, District-Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.42692 of 2014)

For the Petitioner : Mr. Ram Sevak Choudhary

For the Opposite Party : Mr. Bhanu Pratap Singh(App)

(In Cr.Misc. No.43135 of 2014)

For the Petitioner : Mr. Swapnil Kumar Singh

For the Opposite Party : Mr. Rajesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 13-02-2015

The present applications are being taken up
out of turn since a supplementary affidavit has been filed to the
effect that father of petitioner Sahab Kumar @ Sahab Kumar
Paswan has died and as petitioner is the only son, hence he
has to perform last rituals.

The petitioner Sahab Kumar @ Sahab Kumar
Paswan being appointed as panchayat teacher whereas
petitioner Praveen Kumar is Panchayat Secretary who are

languishing in custody since 08.06.2014 and 09.09.2014 in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120B of the I.P.C.

It is alleged that Panchayat Secretary Praveen Kumar completed the appointment process of panchayat teacher without signature of Panchayat Mukhiya though only with signature of Ram Badan Yadav, a teacher of the middle school. It is further alleged that Sahab Kumar @ Sahab Kumar Paswan and others appointed on the post of teacher on the basis of forged Teacher Eligibility Test certificate submitted by them.

It is submitted on behalf of petitioner Praveen Kumar that proceeding book reflects the presence of Panchayat Mukhiya and other persons during the meeting held for appointment. Moreover for submitting a forged Teacher Eligibility Test certificate this petitioner cannot be held responsible and as soon as it was verified that certificates are forged, all such appointments were cancelled.

It is submitted on behalf of petitioner Sahab Kumar @ Sahab Kumar Paswan that petitioner, in pursuance to appointment never received any monetary benefits. A statement to that effect has been made in para 9 of the petition. Moreover other similarly situated co-accused has been granted bail vide Cr. Misc. No. 996 of 2015.

Considering the aforesaid facts, let the

petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Bariyarpur P.S. Case No. 71 of 2014.

(Dinesh Kumar Singh, J)

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