

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14376 of 2015

Arising Out of PS.Case No. -171 Year- 2008 Thana -BAHERI District- DARBHANGA

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Sri Krishna Chandra Choudhary s/o Late Hit Narayan Choudhary
..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-04-2015

Heard learned counsel for the petitioner and the State.

The petitioner being the panchayat secretary is apprehending arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

The basic accusation is of appointing less meritorious candidates and making payment to panchayat teachers in violation of Rule 9 of the Teachers Appointment Rule, 2006. One of the unsuccessful applicants Kavita Kumari challenged the appointment by filing writ petition wherein the informant being the panchayat secretary failed to file counter affidavit due to non-supply of the document by the petitioner.

It is submitted by learned counsel for the petitioner that the appointment was made on 17.12.2006 by the gram

panchayat, the petitioner was one of the members of the selection committee and maliciously the successor of the petitioner filed the present case only against this petitioner. The petitioner was transferred on 1st January 2007 and handed over the charge on 27th February 2007 but there was no dispute with regard to handing over the charge by the petitioner. The very accusation appears to be malicious.

The aforesaid facts constitute good ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Baheri P.S. Case No.171 of 2008, pending before the Chief Judicial Magistrate, Darbhanga.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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