

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29820 of 2014

Arising Out of PS.Case No. -123 Year- 2012 Thana -SAHAR District- BHOJPUR

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1. Md. Jabbar Ansari @ Abdul Jabbar Ansari Son of Late Md. Kashim Ali
Ansari Resident of Mohalla- New Millat Colony, Phulwarisharif, P.S.
Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Sanjeet Kumar, Advocate.
Mr. D.N.Tiwary, Advocate.
For the Opposite Party/s : Mr. Yogendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-01-2015 Heard the parties.

This is an application for anticipatory bail for the
offence punishable under sections 467, 468, 471, 419, 420, 406,
409 and 120B/34 of the I.P.C.

Allegation is that the Block Education Officer and the
Block Development Officer, Sahar illegally appointed several
persons, altogether 72 persons, without following the reservation
norms and over the appointment letters there is no signature of the
Block Education Officer rather it contains the signature of
Pramukh and B.D.O. Sahar, whereas signature of Pramukh, Sahar
is also different. One Murari Sharma had acquired several
movable and immovable property and had obtained services of all
his family members illegally and also got appointed his wife and
she only comes to collect her salary.

Submission is that the petitioner was posted as Block Education Officer, Sahar from 04.12.2009 to 05.08.2012. He was not given charge of the registers though wrote all the authority concerned and then the State Information Commissioner vide order dated 26.09.2011 directed the Additional Collector, Bhojpur to direct Ramesh Paswan to hand over charge within ten days, failing which to suspend him and start departmental proceeding. Thus, the petitioner being Block Education Officer and as per allegation there is no signature of the petitioner and as such he deserves sympathetic consideration to which the learned A.P.P. opposes prayer for pre-arrest bail.

In the facts and circumstances as stated above, as submitted there is no signature of the petitioner on the appointment letters and as such the petitioner, in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Ara in Sahar P.S. Case No. 123 of 2012, G.R. No. 4079 of 2012, subject to the conditions as laid down in section 438 (2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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