

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13747 of 2016

Arising Out of PS.Case No. -123 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Surendra Singh, son of Late Ram Niwas Singh, Panchayat Secretary of G.P. Sonhan, Baraon, Miriya, resident of Village - Chhewari, P.S. - Ramgarh, District - Kaimur (Bhabua).
2. Yadunath Singh, son of Late Sankatha Singh, Panchayat Secretary of G.P. Bahuwan & Akhalaspur, resident of village - Rohua, P.S. - Durgawati, District - Kaimur (Bhabhua).

.... Petitioners

Versus

The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 31-03-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Bhabhua P.S. Case No. 0123 of 2016 registered under Sections 166, 175, 176, 420 and 406 read with 34 of the Indian Penal Code.

It is contended that though the petitioners are custodians of records of the panchayat but the petitioners No. 1 & 2 have never been given records for the years 2003, 2005,



2008 and 2012 with regard to the appointment of the Panchayat Teacher. There is no appointment on the post of Panchayat Teacher from the date on which the petitioners have taken charge. Thus, the allegation levelled against the petitioners are false and baseless. It is further submitted that the petitioners have taken the charge of the Panchayat Secretary after 28.06.2014 and the records have not been supplied to them with respect to the appointment of Panchayat Teacher for the years 2003, 2005, 2006, 2008 and 2012 which would be evident from different annexure as attached in the application. Lastly, it is contended that at best the case would lie against the Ex-Panchayat Secretaries, who were working as custodian of the records relating to appointment of Panchayat Teacher.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Bhabhua P.S.

Case No. 0123 of 2016 subject to the conditions as laid down
under Section 438(2) Cr. P.C.



Sanjeet/-

(Ashwani Kumar Singh, J.)

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