

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20333 of 2016

Arising Out of PS.Case No. -85 Year- 2016 Thana -BHAGALPUR KOTWALI

District- BHAGALPUR

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1. Nand Kishore Yadav son of Jagmohan Yadav R/o Village+P.O.- Nath Nagar neat at Jawahar Takiz P.S.- Lalbhadia, district- Bhagalpur.

2. Anil Kumar Singh S/o Bhagwat Prasad Singh R/o Madhodih, P.S.- Tarapur, District- Munger.

3. Gopal Prasad Yadav S/o Jagrook Yadav R/o Village + P.O.- Parwatta, P.S.- Nawgachia, District- Bhagalpur.

4. Rajendra Mandal @ Rajendra Kumar Son of Laxman Das R/o Village- Satdhara, P.O.- Sahjadpur, P.S.- Habibpur, District- Bhagalpur.

5. Shailendra Kumar Son of Biranchi Prasad R/o Village- Fatehpur Gangia, P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Adv.

For the Opposite Party/s : Mr. A. Dayal (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 20-05-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kotwali (Adampur) P.S. Case No.85 of 2016, disclosing offences under Sections 409/420 of the Indian Penal Code.

The petitioners are working as Panchayat Secretary in various Panchayats. It is alleged against them that they failed to provide to the Vigilance Investigation Bureau, folders relating to preparation of merit list for the purpose of appointment to the post of Panchayat Teachers. The said Vigilance Investigation Bureau is investigating into the allegations of fraudulent appointments made to the post of Panchayat Teachers.

Learned counsel for the petitioners has submitted that only such records/documents could not be supplied to the Vigilance Investigation Bureau, which were not in the possession of the petitioners and were not handed over to them by their respective predecessors. It has further been submitted that if the petitioners are granted the privilege of anticipatory bail, there is no likelihood that they shall flee from the course of justice or tamper with the evidence.

In view of the submission, as above, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court

below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Bhagalpur**, in connection with **Kotwali (Adampur) P.S. Case No.85 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners, abovenamed, shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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