

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19986 of 2016

Arising Out of PS.Case No. -259 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

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Sri Awadh Kishore Singh @ Awadh Kishore Singh S/o late Harihar Singh
Resident of Village- Shankarpur PS Imamganj District Gaya City Manager
Warshaliganj at present City Manager Nagar Parishad Shekhpura District
Shekhpura .

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rabindra Kumar Ravi, Advocate.

For the Opposite Party : Ms. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

10 20-10-2016

Heard both sides.

The petitioner apprehends his arrest in Daudnagar P.S.
Case No. 259 of 2015 registered for the offences punishable under
Sections 409, 420 and 188 of the Indian Penal Code.

The informant executive officer of Nagar Panchayat,
Daudnagar alleged that three men committee was constituted to
look into the matter of illegal appointment/promotion of the staff
of Nagar Panchayat, Daudnagar. The Collector, Aurangabad
directed to lodge the FIR against the persons who is responsible
for missing of the records of proceedings books of empowered
committee and board of Nagar Panchayat, Daudnagar. The
informant further alleged that the petitioner being the manager of



Nagar Panchayat, Daudnagar hold an enquiry and stated in his enquiry report that the delinquent staff did not produce any papers nor cooperated with him, but at the same time he reported in his enquiry report as contained in Letter No. 96 dated 12.04.2014 that he perused the proceedings books of monthly meeting and the agenda of the monthly meeting added thereafter.

It is submitted that the proceedings books of the monthly meeting is not missing and the department has filed counter affidavit in CWJC No. 7555 of 2015 (Annexure-C) by which it would appear that the proceedings books of the monthly meeting of the empowered committee and the board and other relevant documents were in the office and no document was missing.

It appears that the petitioner is not found guilty for illegal appointment or promotion of staff rather the chairman and members of the board were acted illegally in granting illegal promotion to the staff.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten

Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in Daudnagar P.S. Case No. 259 of 2015, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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