

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18775 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -SABAUR District-
BHAGALPUR

=====

1. Shankar Harijan Son of Late Sri Das, a resident of village
- Mohiddipur, P.S. - Jagdishpur District - Bhagalpur, at
present, Panchayat Sachiv, Gram Panchayat, Goradih, P.S. -
Goradih, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amar Nath Mishra, Adv.

For the Opposite Party/s : Mr. Anuj Kr. Srivastav (App)

=====

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

ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Sabour (Goradih) P.S. Case No.34 of 2016,
disclosing offences under Section 409 of the Indian Penal
Code.

The petitioner, at the relevant point of time,
was working as Panchayat Secretary of Goradih Gram

Panchayat, in the district of Bhagalpur. It is alleged against the petitioner that he failed to make available to the Vigilance team, the desired folder relating to appointment of Panchayat teachers. The Vigilance is investigating into the fraud committed in the process of appointment of Panchayat teachers.

Learned counsel for the petitioner has submitted that no offence, under Section 409 of the Indian Penal Code, is made out against the petitioner on the basis of what has been alleged in the First Information Report, registered on the basis of written report of the District Project Officer, Bhagalpur. He has further submitted that since the petitioner is a government servant, there is no likelihood that he will be fleeing from the course of investigation or trial.

Considering the submission, as above, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, 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 **learned Sub-Judge-XI-cum-Additional Chief Judicial Magistrate-X, New Building, Bhagalpur**, in connection with **Sabour (Goradih) P.S. Case No.34 of 2016 (G.R.**

No.609/2016), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

U		T	
---	--	---	--