

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23726 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

Ashok Kumar Mehta , son of Late Jairam Prasad, resident of Village-
Kabaiya, P.S. Jharokhar, District- East Champaran .

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Anita Kumari Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner, being the Panchayat Secretary, is apprehending his arrest in a case registered for the offences punishable under Sections 467,420 and 201 of the Indian Penal Code.

The prosecution case, in short, is that pursuant to an order of the Division Bench of this Court in a P.I.L. with regard to appointment of Panchayat teachers, the Block Education Officer directed the Panchayat Secretaries, including the petitioner to submit the folder of appointment of teacher/Shiksha Mitra, etc. within the stipulated period but he failed to submit the said documents. Hence, the present F.I.R. has been lodged.

It is submitted by learned counsel for the petitioner that

due to paucity of time, the petitioner did not locate the folder but now the said folder has been located and he will submit the same. A statement to this effect has also been made in paragraph No.7 of the petition. It is also submitted by learned counsel for the petitioner that two other co-accused have been granted anticipatory bail by this Court.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on provisional anticipatory bail for four months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihari in connection with Chourandano P.S. Case No.15 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below, if the petitioner produces the proof with regard to submission of the aforesaid folder to the Investigating Agency.

(Dinesh Kumar Singh, J)

V.P.Sinha/-

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