

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21764 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -SALAIYA District- AURANGABAD

1. Surendra Singh S/o Dhani Singh, resident of village - Jajapur, P.S.-
Goh, District - Aurangabad (Bihar)
2. Badri Narayan Singh S/o Rajendar Singh, resident of village - Deoriya,
P.S. + District - Aurangabad (Bihar) Petitioners
Versus
The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Yogendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 22-06-2016 The petitioners seek pre-arrest bail in connection with Salaiya P.S. Case No. 05 of 2016 registered under Sections 188, 409 and 420 of the Indian Penal Code.

It is contended that petitioner No. 1 is Panchayat Secretary of Pirwa Panchayat and petitioner No. 2 is Panchayat Secretary of Salaiya Panchayat of Madanpur Block. They have submitted all relevant papers which were available to them after taking charge from their predecessors. It is further contended that the petitioner No. 1 has not received the records of the appointed teachers from the predecessor for the year 2003, 2005, 2006 and 2008, and, hence, it is only his predecessor, namely,

Uday Singh, who can be held liable to submit the folder of the appointed teachers of Pirwa Gram Panchayat. It is also contended that the petitioner no. 2 has taken charge from his predecessor, namely, Pramod Kumar on 22.09.2013. He has submitted the merit list of appointed teachers for the year 2012 on 12.06.2015. However, since he has not received the record of appointed teacher from his predecessor for the year 2003, 2005, 2006 and 2010, he could not submit those records.

Learned APP 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, the provisional anticipatory bail granted to the petitioners vide order dated 25.05.2016 is, hereby, confirmed.

(Ashwani Kumar Singh, J.)

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