

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23566 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -AMDABAD District- KATI HAR

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1. Ram Bilash @ Ram Bilash Singh S/o Late Sita Ram Singh R/o Durgapur,
P.S.- Amdabad, Distt- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-05-2016

Heard learned counsel 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 409, 420 of the Indian Penal Code.

The prosecution case is that in pursuance of
an order passed by a Division Bench of this Court in a P.I.L.
the Vigilance enquiry was initiated with regard to illegal
appointment of Panchayat Teachers. The Vigilance during the
enquiry requested the Panchayat Secretary to submit the
respective folders of the Panchayat Teachers within stipulated
time. The petitioner failed to submit the folders hence, the First
Information Report was lodged.

It is submitted by the learned counsel for the

petitioner that for measurement of the certificate of the Panchayat Teachers were not handed over but the only folders with regard to appointment of teachers in 2006 were handed over on 04.09.2015. Though the inconsistent stand of the petitioner has been stated in para-10 of the petition which reads as follows:-

“That from the evidential record it appears that the petitioner has already filed an affidavit petition before the Executive Officer, Manihari on 24.02.2016 regarding the non charging over the paper of the appoint of the teacher in the year 2003 and 2005, where the charge is handed over of the appointment of the teacher in the year 2006 on dated 04.09.2015 after demanding the same several times.”

Considering the nature of accusation, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Amdabad P.S. Case No. 24 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned court below on filing affidavit to the effect that he will cooperate during investigation. The said affidavit will be transmitted to the concerned I.O. The non-

cooperation in the investigation will give liberty to the learned
court below to cancel the bail bond of the petitioner.



(Dinesh Kumar Singh, J)

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