

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23323 of 2016

Arising Out of PS.Case No. -85 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Md. Khurshid Alam @ Khurshid Alam S/o Wali Mohammed

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner being Panchayat Secretary is apprehending arrest in a case registered for the offences punishable under Sections 409/420 of the Indian Penal Code.

Prosecution case is that in pursuance of an order passed by a Division Bench of this Court in a PIL, the Vigilance enquiry was initiated with regard to the illegality committed in the appointment of 'Panchayat Teachers'. Consequently, the investigating agency directed the Panchayat Secretaries to submit the folders containing certificates of such appointed 'Panchayat Teachers' within stipulated time frame but the petitioner failed to submit the respective folder.

It is submitted by learned counsel for the petitioner that that prior to institution of this case no notice was ever received by

the petitioner and the petitioner on demand submitted the folder with regard to appointment of 'Panchayat Teachers' to the concerned authorities on 09.07.2015.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur, in connection with Kotwali Adampur P.S. Case No.85/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner will be accepted on filing of the affidavit by the petitioner before the learned court below to the effect that he will regularly co-operate in the investigation. Non-cooperation in the investigation by the petitioner will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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