

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33346 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -KUDRA District- BHABHUA (KAIMUR)

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Birendra Singh @ Birendra Kumar Singh, S/o Late Manohar Singh, resident of Village- Chacharia, Presently posted as Panchayat Secretary, Nevras, P.S.- Kudra, Distt- Kaimur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate.

For the Opposite Party/s : Mrs. Remila Ratmalar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kudra P.S. Case No. 84 of 2016 registered under Sections 175, 187, 188 and 420 of the Indian Penal Code.

The accusation is that in pursuance of an order passed by the 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 the stipulated time framed but the petitioner failed to submit the respective folder.

Learned counsel for the petitioner submits that petitioner has jointed as Panchayat Secretary of Panchayat Navras in the year 2014 and the papers regarding appointment of “Panchayat Teachers” was not handed over by his Predecessor, Rampyare Singh whereas illegality committed for appointment of “Panchayat Teachers” is in between year 2003 to 2014 and the documents was also called from his predecessor Rampyare Singh. It is further submitted that co-accused, Shio Pujan Ram, has already been granted privilege of anticipatory bail by this Court vide order dated 25.05.2016 passed in Criminal Misc. No. 25.05.2016.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Kudra P.S. Case No. 84 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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