

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39709 of 2016

Arising Out of PS.Case No. -102 Year- 2016 Thana -NAWANGAR District- BUXAR

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1. Suresh Kumar Prasad S/o Late Ramashankar Prasad. Resident of Village- Puchari, P.S.- Brahmpur, District- Buxar, Panchayat Sachiv of Mania.
 2. Bishwanath Rai S/o Late Ram Bilash Rai, Resident of Village Bankat, P.S.- Dumraon, District- Buxar, presently Panchayat Sachiv of Gram Panchayat Bhatauli and Atmi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 19-09-2016 Heard both sides.

The petitioners apprehend their arrest in Nawanagar P.S. Case No. 102/2016, registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

The present case has been lodged against the Panchayat Sachiv of different Panchayat for not submitting the documents related to appointment of Panchayat Teacher to the concerned authority. Petitioner no. 1 was posted as Panchayat Sachiv in Mania and petitioner no. 2 was posted in Bhatauli and Atmi.

Learned counsel for the petitioners submits that petitioner no. 1 Suresh Kumar Prasad joined in Mania Panchayat

on 25.07.2014 and petitioner no. 2 Bishwanath Rai joined in Bhatauli on 17.07.2014 and in Atmi on 31.07.2014, their predecessors did not hand over the folders and registers with regard to appointment of Panchayat Teachers held in the year 2005-06. Therefore, petitioners could not be able to hand over the registers and folders of appointment of teacher, but they have been made accused in the case.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Nawanagar P.S. Case No. 102/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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