

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23681 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

=====

1. Mantosh Kumar Singh son of Late Bikrama Singh resident of Village -
Amatha, Police Station - Shivsagar, District - Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ramji Rai son of Late Jawala Rai the Block Education Officer Dinara,
District - Rohtas.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-05-2016 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 and 201/34 of the Indian Penal Code.

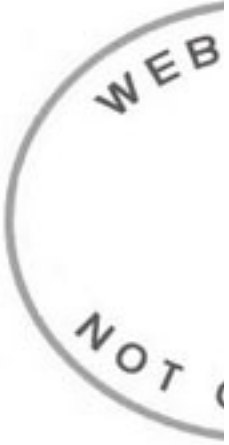
The prosecution case is that Vigilance enquiry was initiated in pursuance to an order passed by a Division Bench of this Court in a PIL with regard to illegality committed in the appointment of panchayat teachers. Subsequently, the investigating agency issued direction to the Panchayat Secretaries to submit folders

with regard to such illegal appointment of Panchayat teachers within a time frame. The petitioner failed to submit the folder.

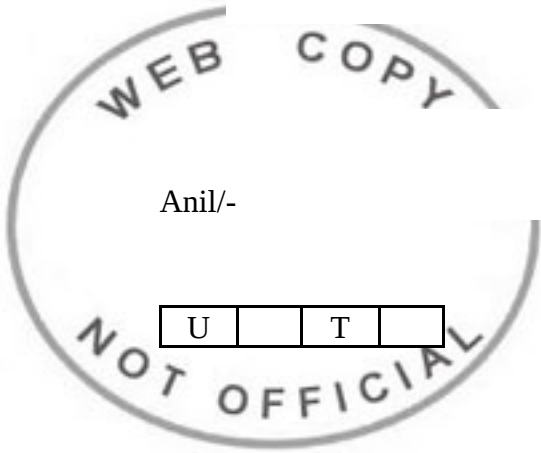
It is submitted by the learned counsel for the petitioner that the whatever documents the petitioner was given charge of, were submitted in the office of the Block Education Officer, Dinara on 2.1.2016.

Considering the nature of accusation, 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 twelve 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 learned SDJM, Bikramganj in connection with Dinara P.S. Case No.52 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will regularly cooperate in the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non cooperation in the investigation will give liberty to the



learned court below to cancel bail bonds of the petitioner.



(Dinesh Kumar Singh, J)