

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21728 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -MADANPURA District- AURANGABAD

Vijay Kumar Singh S/o Ram Lakhan Singh Resident of Village -Narsinha,
PS Mufassil, District Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Indra Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 20-05-2016 Heard Mr. Krishna Pd. Singh in support of the
application. No one has appeared on behalf of the State.

The petitioner, being a Panchayat Secretary, is facing prosecution under sections 409 and 420 IPC on the basis of the FIR lodged by the Block Development Officer Madanpur, vide Madanpur P.S. Case No. 28 of 2016. Precisely, the allegation is that the enquiry into illegal appointment(s) of the teachers in the primary school made some time in 2003, 2004, 2005 and 2006 was made by the Vigilance Department in which the relevant folders of the appointed teachers were called for. As the petitioner did not deposit/submit the required folders/papers in relation to the

teachers appointed in the said Gram Panchayat, the FIR was lodged.

Referring to annexure-2, it is stated that the petitioner was given an additional charge of Khiriyavan Gram Panchayat under the orders of the Block Development Officer on 11.07.2014. The records of the appointment(s) of the year 2003, 2005 and 2006 were not made over to him by the outgoing Panchayat Secretary during whose tenure such appointment(s) were made. The available records of the year 2013 were already forwarded to the office of the Block Education Officer. Reliance in this regard is placed on Annexure-3. It is also submitted that in the aforesaid facts and circumstances of the case another co-accused has been granted anticipatory bail by this Court in Cr. Misc. No. 22456 of 2016.

Considering the above, the petitioner above named, in the event of arrest/surrender within four weeks from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Aurangabad in Madanpur P.S. Case No. 28 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the

event of framing of charge, he shall appear on each date fixed at the trial. Failure in appearance on two consecutive dates shall entail cancellation of his bail bonds.

(Kishore Kumar Mandal, J)

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