

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26068 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -KHAIRA District- JAMUI

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1. Sanjay Kumar son of Late Medani Singh, resident of village+ P.O-
Maldah, P.S-Barbigha, District- Sheikhpura at present posted as Panchayat
Secretary under Block- Khaira, P.S.- Khaira, District- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 15-07-2016 Heard the Counsel for the petitioner and the learned APP
for the State.

On the instruction of the District Programme Officer, the
F.I.R. being Khaira P.S. Case No. 44 of 2016 was lodged by the
Block Education Officer alleging that the accused persons
including the petitioner during the relevant time were functioning
as Panchayat Secretary and in spite of directions issued, the
folders of the teachers were not furnished by the petitioner. It is
stated that the petitioner was shifted to Khaira block as Panchayat
Secretary recently in the year 2013 and the charge of the office
was given to him only in respect of appointments of 2012. In such
circumstances, he could not submit the folders as
requested/directed by the District Programme Officer. Counsel for
the petitioner further states referring to Annexure-7 series that few

accused persons having identical allegations have been released on anticipatory bail.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in Khaira P.S. Case No. 44 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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