

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36029 of 2016

Arising Out of PS.Case No. -543 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

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1. Ram Ekbal Pandey Son of Late Bishundev Pandey R/o village -
Pathrahi, P.S. Bajpatti, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. M. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 26-09-2016

Heard Mr. Jha for the petitioner and Mr. M. Dayal,

APP for the State.

Petitioner is an accused of Runnisaidpur P.S. Case
No. 543 of 2015 registered under Sections 420, 467, 468, 471 and
120B of the Indian Penal Code.

After his retirement as Panchayat Secretary, the
present prosecution has been lodged by the Block Education
Officer alleging that while he was functioning as Panchayat
Secretary, he appointed persons below age of 18 years as
Panchayat Shiksha Mitra. It is submitted that the employment unit
was headed by the Mukhiya who is also co-accused of the case
and has been released on anticipatory bail vide order dated
18.04.2016 passed in Cr. Misc. No. 11072 of 2016 (at page 18 of
the brief). Under the guidelines, only the maximum age was
provided. After having retired in the year 2005, the present

prosecution has been lodged. Petitioner has no criminal antecedent.

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, Sitamarhi in Runnisaipur P.S. Case No. 543 of 2015 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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