

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38923 of 2016**

Arising Out of PS.Case No. -111 Year- 2016 Thana -KARPI District- JEHANABAD

- =====
1. Jagat Kumar, son of Sri Lal Singh, Resident of Village-Kanauli, Police Station-Makhdumpur in the district of Jehanabad. Presently Posted as Panchayat Secretary, Gram Panchayat Raj, Karpi, Arwal.
  2. Vijay Ram, son of Sri Pate Ram, Resident of Village-Turk Telpa, Police Station-Banshi in the district of Arwal. The then Panchayat Secretary, Gram Panchayat Raj, Karpi, Arwal.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

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2      19-10-2016              Let the supplementary affidavit filed on behalf of the petitioners be kept on record.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Karpi P.S. Case No.111 of 2016 registered under Sections 420 and 409/34 of the Indian Penal Code.

The accusation is that in the light of the order passed in C.W.J.C. No.15459 of 2014, the vigilance enquiry was started regarding the appointment of Panchayat Teachers. Accordingly, letter was sent to the petitioners, who were the Panchayat

Secretaries of the Gram Panchayat-Karpi to submit the file of 51 appointed Panchayat Teachers but only the files regarding the appointment of 40 Panchayat Teachers were submitted.

Learned counsel for the petitioners submits that, in fact, the petitioner no.2 Vijay Ram joined as Panchayat Secretary in Gram Panchayat Karpi on 08.09.2012 and only the charge of the files in respect of 22 appointed Panchayat Teachers were handed over to him by Dinanath Singh, the then Panchayat Secretary of Gram Panchayat Karpi on 26.12.2012 and, accordingly, he handed over the said files to the petitioner no.1 Jagat Kumar on 24.06.2013. On demand of the files of 51 appointed Panchayat Teachers by the Vigilance Department, the petitioner no.1 Jagat Kumar again approached Dinanath Singh, the then Panchayat Secretary of Gram Panchayat Karpi, who handed over the charge of files of 16 appointed Panchayat Teachers to the petitioner no.1 on 13.02.2016. Two Panchayat Teachers were appointed in the light of the advertisement by the petitioner no.1 Jagat Kumar, in the year 2014, regarding which the files were submitted by the petitioner no.1 Jagat Kumar. As such, 38 files of 38 appointed Panchayat Teachers were handed to the Vigilance Department and, thereafter, two files of two appointed Panchayat Teachers were also submitted by the petitioner no.1. The remaining files

regarding the appointment of 11 Panchayat Teachers were not handed over to the petitioners by Dinannath Singh, the then Panchayat Secretary of Gram Panchayat Karpi.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Arwal, in connection with Karpi P.S. Case No.111 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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