

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41117 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Chhotelal Yadav, Son of Late Sumrit Yadav, Resident of Village - Amha, P.S. & District - Supaul at present - Panchayat Secretary Gram Panchayat Basantpur & Banailypatti, Anchal - Basantpur, P.S. - Birpur, District - Supaul Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sri Parmanand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 29-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Chhatapur P.S. Case No. 70 of 2016, disclosing offences under Sections 406 and 420 of the Indian Penal Code.

The petitioner, at the time of institution of the First Information Report, was working as Panchayat Secretary of Rajeshwari Eastern Gram Panchayat in the district of Supaul. The Vigilance Bureau of Investigation is conducting an investigation into fraudulent appointments to the post of Panchayat Teachers. It appears that on demand, having been made by the Vigilance Bureau, the petitioner did not supply to them, the registers/documents relating to the appointments to the post of Panchayat Teachers made in the year 2003 and 2006.

Learned counsel for the petitioner has submitted that the petitioner joined as Panchayat Secretary of the concerned

Gram Panchayat recently and after joining despite efforts having been made by him, he could not receive from his predecessor, the documents, files and folders relating to appointments made to the post of Panchayat Teachers in the year 2003 and 2006.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Supaul in connection with Chhatapur P.S. Case No. 70 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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