

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53144 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -FATEHPUR District- GAYA

- =====
1. Nagendra Yadav S/o Awadh Bihari Yadav, Resident of Village-Kamalpur, P.S.- Tekari, District- Gaya.
 2. Krishna Ballav Prasad S/o Mahabir Prasad, Resident of Village-Nimthu, P.S.- Neemchak Bathani, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lilawati Singh

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-12-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 409, 201 and 408/34 of the Indian Penal Code.

Petitioners are government servants and they were posted as Panchayat Sachiv at the relevant time. Allegation against the petitioners is that they did not send the file and folder of appointed teachers to the authorities concerned.

Submission is that it may be a case of insubordination of the government servant and no criminal liability is made out.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the



Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Gaya/Successor Court in connection with Fatehpur Police Station Case No. 113 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J.)

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