

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39423 of 2016

Arising Out of PS.Case No. -114 Year- 2016 Thana -BHAGWANPUR District- BHABHUA (KAIMUR)

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1. Radhey Shyam Singh S/o. Late Dhodha Singh, Resident of Village-
Lohara, P.S. Adhuara, District- Kaimur Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 16-09-2016

Heard both sides.

The petitioner apprehends his arrest in Bhagwanpur
P.S. case No. 114 of 2016 under Section 409, 420 of the Indian
Penal Code.

This case has been lodged on the basis of the letter of
Block Education Officer, Bhagwanpur, Kaimur that petitioner
being the Panchayat Secretary of Jaitpur Kala and Mokram
Panchayats did not hand over the folders, registers with regard to
appointment of Panchayat Teachers.

It is submitted that petitioner joined Jaitpur Kala
Panchayat on 20.06.2014 and he took over charge from Bachau,
the then Panchayat Secretary, who did not hand over the records to
the petitioner. In fact Bishwanath Singh was posted in Jaitpur Kala
Panchayat in the year 2003-2005 and during that period
appointment of Panchayat Teachers was made. Bishwanath Singh

did not hand over the charge of all those documents to Bachau. Similarly, petitioner was made Incharge of Mokram Panchayat on 21.07.2005 but Hiramani Pandey, then Panchayat Secretary, did not hand over the charge of registers for appointment of Panchayat Teachers and that is why the petitioner could not be able to hand over those documents to Block Education Officer but the Block Education Officer, without considering the explanation of the petitioner, lodged the case.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Bhabhua, Kaimur in Bhagwanpur P.S. Case No. 114 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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