

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53966 of 2016

Arising Out of PS.Case No. -137 Year- 2016 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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Gulbas Ansari Son of late Siru Mian Resident of Village- Bartali Kala, P.S. Chenari, District Rohtas, Panchayat Secretary, Gram Panchayat, Dahaur, Block Dehri, P.S. Dehri, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 22-12-2016 Heard the counsel for the petitioner.

No one appears on behalf of the State.

The petitioner being the Panchayat Secretary is facing prosecution under section 409 IPC vide Dehri (Town) P.S. Case No. 137 of 2016 with an allegation that in spite of instruction/direction he did not submit the relevant file/folder with respect to the teachers appointed in the said Panchayat between 2005-10.

Learned counsel for the petitioner submits that he joined the present Panchayat in 2014. The records were made over to him belatedly whereafter the same have been furnished to the Block Education Officer only after lodging of the case, vide Annexure-2. There was no ill motive on the part of the petitioner.



Considering the facts and circumstances of the case, let the petitioner named above, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Dehri (Rohtas) in Dehri (Town) P.S. Case No. 137 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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