

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24000 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

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1. Arbind Kumar, Panchayat Sachiv, Sarmera & Issua Son of Late Lakhan Lal Resident of village - Chamar Bigha, P.S. Hilsa, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Chandra Pandey

For the Opposite Party/s : Mr. Sanjay Kr.Pandey(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

5 19-08-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 409/420/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though he is Panchayat Secretary of Sarmera, the petitioner is no way responsible for submitting the documents as called for. It is submitted that the petitioner took over charge as Panchayat Secretary only after lodging of the First Information Report and he was not the custodian of the papers. Therefore, he cannot be held responsible for not supplying the same.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that it has come in paragraph

No. 24 of the case diary that the concerned documents were never been shown to the petitioner by the earlier Panchayat Secretary.

Having considered all the facts and circumstances of the case and the fact that the petitioner has no criminal antecedent, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bihar Sharif(Nalanda) in connection with Sarmera P.S. Case No. 17/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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