

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19955 of 2016

Arising Out of PS.Case No. -85 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
1. Vinay Kumar Singh S/o Priyabrat Narayan Singh, R/o Village Pratapnagar, PO + PS- Naugachia, District- Bhagalpur
 2. Shri Prakash Das @ Prakash Das, S/o Shri Laxman Das, R/o Village Satgara, PO- Shahzadpur, P.S.- Habibpur, District- Bhagalpur
 3. Dinbandhu Kumar Sinha S/o Ugra Mohan Sinha, R/o Village- Shahkund, P.S.- Shahkund, District- Bhagalpur
 4. Dharmendra Kumar S/o Anandi Singh, R/o Village Dumaria, P.S.+District- Nalanda
 5. Bhuvneshwar Mandal @ Bhuvneshwar Prasad Singh S/o Late Parmeshwar Prasad Singh, R/o Village- Dayalpur, P.S.- Kahalgaon, District- Bhagalpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta

For the Opposite Party/s : Mr. Asha Devi (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-05-2016 Heard learned counsel for the petitioners and the learned
Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of
Kotwali (Adampur) P.S.Case No. 85/2016, disclosing offences
under sections 409, 420 of the Indian Penal Code.

The petitioners were posed as Panchayat Secretary in
various Panchayat. From the First Information Report it appears
that it has been alleged against them that in course of an enquiry
being conducted by the Vigilance Investigation Bureau into



fraudulent appointments made to the post of Panchayat Teachers, they did not furnish the folders of the merit list. With the allegation that for personal gain, they did not make available the folders, the First Information Report has been instituted against several Panchayat Secretaries including the present petitioners.

Learned counsel, appearing on behalf of the petitioners, has submitted that it is not the allegation against these petitioners that they were involved in the irregularities committed in connection with the selection/ appointment to the post of Panchayat Teachers. He has further submitted that the petitioners could not furnish the folders because the same was not handed over to them by their predecessor after they had assumed their charge. It has further been submitted that since the petitioners are Government servants, there is no likelihood that they will be fleeing from the course of justice, if granted privilege of anticipatory bail.

Considering the submissions, as aforesaid, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to

the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Kotwali (Adampur) P.S.Case No. 85/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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

(Chakradhari Sharan Singh, J)

Surendra/-

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