

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22899 of 2016**

Arising Out of PS.Case No. -45 Year- 2016 Thana -KARAKAT District- SASARAM (ROHTAS)

Guput Nath Singh

.... .... Petitioner/s

Versus

1. State of Bihar,
2. Ambika Ram

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Opposite Party/s : Mr. Md.Sufiyan (App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      23-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner being Panchayat Secretary is apprehending arrest in a case registered for the offences punishable under Sections 409 of the Indian Penal Code.

The prosecution case is that Vigilance enquiry was initiated in pursuance to an order passed a Division Bench of this Court in a PIL with regard to illegality committed in the appointment of panchayat teachers. Subsequently, the investigating agency issued direction to the Panchayat Secretaries to submit folders with regard to such illegal appointment of Panchayat teachers within a time frame. The petitioner failed to submit the folder.

It is submitted by the learned counsel for the petitioner that the petitioner was never given the charge of such folders. Statement has been made in paragraph 3 of the petition that the

petitioner has no criminal antecedent.

Considering the nature of accusation, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bikramganj in connection with Karakat P.S. Case No.45 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that he will regularly cooperate in the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non cooperation in the investigation will give liberty to the prosecution to file application before the learned court below to cancel bail bonds of the petitioner.

**(Dinesh Kumar Singh, J)**

Anil/-

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