

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35639 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -PRATAPGANJ District- SUPAUL

Uttam Lal Mandal S/o late Janak Mandal R/o Village- Chilauni Uttar P.S.
Partapganj, District Supaul, ,Permanent Address: R/o Vill- Rahtha P.S
Triveniganj, distt Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Sri Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the Panchayat Secretary is apprehending arrest in a case registered for the offences punishable under Sections 420 and 409 of the Indian Penal Code.

The prosecution case is that the petitioner being the Panchayat Secretary of Chilani North Gram Panchayat failed to submit the documents with regard to appoint of Panchayat teacher to the investigating agency who were investigating the case in pursuance to the order passed by this Court in a PIL.

It is submitted by learned counsel for the petitioner that the petitioner was appointed as Panchayat Secretary on 31.01.2010 when the documents relating to Panchayat teachers

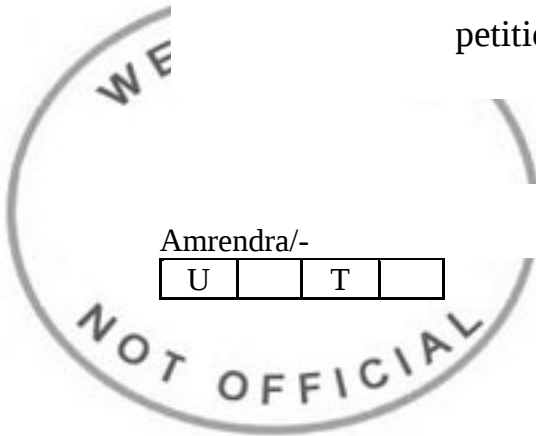
appointed in the year 2006 were called for. The petitioner submitted the document whatever was given to him at the time of taking charge, statement to that effect has been made in para 6 of the petition which reads as follows:-

“That it is submitted that the petitioner was appointed as member secretary of teachers appointment of the Gram Panchayat Chiloni North on 31.01.2010 and the document asked by the informant was of the year 2006, however, the petitioner submitted the relevant documents which he had received at the time of taking charge, despite that FIR has been lodged.”

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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Birpur in connection with Partapganj P.S. Case No. 25 of 2016 , subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing affidavit by the petitioner that he will regularly co-operate during investigation. Non-co-operation of the petitioner during investigation will give liberty

to the learned court below to cancel the bail bonds of the petitioner.



(Dinesh Kumar Singh, J)