

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35353 of 2016

Arising Out of PS.Case No. -56 Year- 2016 Thana -BELHAR District- BANKA

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1. Pramod Singh Son of late Bishwanath Singh Resident of Village-Dumariya, P.S Belhar District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 17-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner took over the charge as the Panchayat Secretary, Srinagar Panchayat on 07.12.2013. Under the directions of the superior authority each Panchayat Secretary was required to produce the file relating to conversion of the Shiksha Mitra in to a regular Panchayat Teacher. In spite of direction, it is alleged that relevant records were not produced. It is submitted that the petitioner was transferred and posted in the said Panchayat on 18.11.2013. The erstwhile Panchayat Secretary did not make over the relevant file of the Teachers . This handicapped him from obeying the orders of the superior. In this connection copy of the take over and make over of the charge has been filed at Annexure-2. It is further submitted that he is in Government

service and there is no chance of his absconding. The petitioner will fully cooperate in the investigation. It is also submitted that some other accused persons having identical allegations have been granted the anticipatory bail.

Learned APP, on the other hand, submits that although he joined in 2013 but the documents called for were not submitted by him for more than 02 years.

Considering the facts and circumstances of the case, I am persuaded to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released 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- III, Banka, in connection with Belhar P.S. case no. 56 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in

such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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