

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33763 of 2016**

Arising Out of PS.Case No. -81 Year- 2016 Thana -GHOSI District- JEHANABAD

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1. Md. Abid Imam son of Late Md. Irban Ullah R/o Village - Hizampur, P.O. - Aiyara, P.S. - Kurtha, Distt - Arwal, (Panchayat Secretary Deora).
  2. Ramchandra Singh son of late Chandrika Yadav R/o Vill - Audanchak, P.O. - Salempur, P.S. - Ghosi, Distt. - Jehanabad (Secretary Madariganj).

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Satyendra Prasad Singh, Advocate  
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      20-08-2016                      Heard learned counsel for the petitioners and the  
  
learned A.P.P. for the State.

Petitioners apprehend their arrest in connection  
with Ghosi (Okari) P.S. Case No. 81 of 2016 registered for the  
offence punishable under Section 409 of the Indian Penal Code.

The prosecution case, in brief, is that petitioners  
being Panchayat Secretaries of Deora Gram Panchayat and  
Modanganj Gram Panchayat respectively, have not submitted  
folders and certificates of appointed Panchayat Teachers of the  
said Gram Panchayats relating to appointment from 2003 onwards  
as specified in the written report in pursuance to a Vigilance  
Investigation being carried out in pursuance to order of this Court

regarding mass scale illegal appointment of Panchayat Teachers.



It has been submitted by the learned counsel for the petitioners that petitioners have been transferred vide Memo No. 765 dated 19.07.2014, Annexure-2 to this application to the said Gram Panchyats as Panchayat Secretary and have not yet been handed over charge by the then Panchayat Secretary, hence they have not been able to submit the folders and certificate of the appointed Panchayat Teachers during the relevant period. He further submits that they have no criminal history, as is evident from paragraph 3 of this application and being Panchayat Secretaries of the said Gram Panchayats, they will cooperate with the investigation and submit all papers and folders relating to Panchayat Teachers appointment no sooner the charge is handed over to them by the then Panchayat Secretaries. He submits that petitioners undertake that they would not abscond or tamper with the evidence.

However, learned A.P.P. for the State submits that petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the petitioners are Panchayat Secretaries of Deora and Modanganj Gram Panchayats as also in view of the aforesaid undertaking, let the petitioners, named

above, in the event of their arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi (Okari) P.S. Case No. 81 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

Arjun/-

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