

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35091 of 2016

Arising Out of PS.Case No. -346 Year- 2012 Thana -PHULWARI District- PATNA

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Dineshwar Pandey S/o Ramanand Pandey resident of Village- Kamalpura,
P.O.- Barah, P.S.- Punpun, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-12-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 409/34 of the Indian Penal Code.

Allegation against petitioner is that he being Panchayat Secretary was custodian of the records relating to appointment of teachers but he did not hand over those records to his successor.

It is submitted on behalf of petitioner that he has got no criminal antecedent. No allegation of tampering of witnesses is alleged against petitioner. As per allegation, while petitioner was posted at the relevant time as Panchayat Secretary, he did not hand over the entire register and the papers to his successor. By way of supplementary affidavit it has been brought on record that at the relevant time petitioner had handed over the entire documents and register of the Panchayat to his successor. Petitioner has been made accused due to mistake of fact.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the



above named petitioner, in the event of his/her arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna, in connection with Phulwarisarif P.S. Case no. 346 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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