

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42116 of 2016

Arising Out of PS.Case No. -202 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

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1. Uday Shankar Tiwari, Panchayat Secretary son of Late Baidyanath Tiwari, Panchayat- Minapur, P.S.- Minapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 03-10-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Minapur P.S. Case No. 202 of 2016, disclosing offences under Sections 409 and 120B of the Indian Penal Code.

The only allegation against the petitioner is of not furnishing to the Vigilance Bureau, registers and folders relating to appointments made to the post of Panchayat Teachers, which is being enquired into under the orders of this Court.

Learned counsel appearing on behalf of the petitioner has submitted that even if the allegation made in the First Information Report is treated to be true, the only allegation against the petitioner is of not extending due cooperation in course of



investigation. He has further submitted that on the date when the First Information Report came to be registered on 17.08.2016, the petitioner had gone to hand over charge to his successor at the place where the petitioner was earlier posted. According to him, by that date, i.e., 17.08.2016, the petitioner had not taken over charge of the post of Panchayat Secretary of the concerned Manikpur Gram Panchayat. He has also submitted that the petitioner has now assumed the charge of the office of Panchayat Secretary of Manikpur Gram Panchayat and he shall now make available the desired documents, which may be available to him, to the Vigilance Bureau.

Considering the above, this application is allowed. Let the petitioners above-named, in the event of their arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Minapur P. S. Case No. 202 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/court, as the case may be, as and when required and in the event of failure on his part to appear

before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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