

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40730 of 2016

Arising Out of PS.Case No. -103 Year- 2016 Thana -SIMRI District- BUXAR

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1. Jwala Prasad Singh S/o Shri Bhim Singh Resident of Village-Rupsagar,
P.S.-Nawanagar, District-Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai

For the Opposite Party/s : Mr. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-09-2016 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of
Simri P.S. Case No. 103 of 2016, disclosing offences under
Sections 409 and 420 of the Indian Penal Code.

Petitioner is a Panchayat Secretary of Gram
Panchayat Raj Pagambarpur in the District of Buxar. It is
alleged that he did not furnish to the Vigilance Investigation
Bureau the relevant registers and folders relating to
appointment of Panchayat Teachers which is under scanner
by the vigilance bureau under the orders of this court.

Learned counsel for the petitioner has submitted
that petitioner joined as Panchayat Teacher in the said Gram
Panchayat in the year 2015 and the documents which are

being demanded by the Vigilance Bureau from him relate to prior to 2012. It is his specific case that charge of the registers/folders maintained prior to 2012 have not been handed over to the petitioner by his predecessor, Dwarika Singh. Dwarika Singh has not been made an accused in the present case.

Considering the submission that petitioner's predecessor had not handed over to the petitioner the charge of the documents concerned and said Dwarika Singh has not been made an accused, this application is allowed.

Let petitioner above-named in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in Simri P.S. Case No. 103 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.

ArunKumar/-c

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(Chakradhari Sharan Singh, J)