

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23714 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -MADANPURA District- AURANGABAD

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1. Janeshwar Choudhary son of Late Shiv Ratan Choudhary resident of village - Budhanbigha, Ward No. 23, P.S. - Daudnagar, District - Aurangabad.
2. Ram Lal Choudhary son of Late Ramswaroop Choudhary resident of village - Wahid Bigha, P.S. - Aurangabad Muffasil, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Dubey

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 26-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners being Panchayat Secretaries are apprehending arrest in a case registered for the offences punishable under Sections 188,409 and 420 of the Indian Penal Code.

The prosecution case is that Vigilance enquiry was initiated in pursuance to an order passed by a Division Bench of this Court in a PIL with regard to illegality committed in the appointment of panchayat teachers. Subsequently, the investigating agency issued direction to

the Panchayat Secretaries to submit folders with regard to such illegal appointment of Panchayat teachers within a time frame. The petitioners failed to submit the folder.

It is submitted by the learned counsel for the petitioners that since the petitioners were not given charge of the folders related to appointment of teachers they could not submit the same in the office of the Block Education Officer.

Considering the nature of accusation, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad in connection with Madanpur P.S. Case No.28 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted on filing of individual affidavit by the petitioners before the learned court below that they will regularly cooperate in the investigation. The said affidavits will be transmitted by the learned court below to the concerned I.O.



Non cooperation in the investigation will give liberty to the learned court below to cancel bail bonds of the petitioners.



Anil/-

(Dinesh Kumar Singh, J)

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