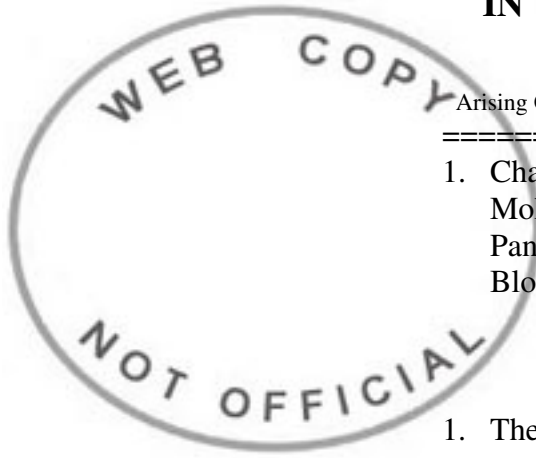




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25125 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -NASRIGANJ District- SASARAM (ROHTAS)

1. Chandrabhan @ Chandrabhan Ram son of Late Panchu Ram resident of Mohalla - Mobarakganj, P.S. Sasaram, Dist. Rohtas and at present Panchayat Sachiv of Paruri and Amiyawar Panchayats under Nasriganj Block, Dist. Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amitabh Sohan

For the Opposite Party/s : Mr. Raj Kishor Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2016 Petitioner being panchayat secretary is apprehending his arrest in a case registered for the offences punishable under Section 409 of the Indian Penal Code.

The prosecution case is that in pursuance to an order passed in a PIL by a Division Bench of this Court, the vigilance enquiry was initiated with regard to the irregularities in appointments of panchayat teachers. Consequently the investigating agency intimated to all the panchayat secretaries to submit the folders with regard to such appointed panchayat teachers in a stipulated time frame. The petitioner being panchayat secretary failed to submit the folders of panchayat teachers within stipulated period of time.

It is submitted by learned counsel for the

petitioner that petitioner took part in the appointment process in 2012-13 and 2014-15 and petitioner submitted the documents of the said period to the Block Education Officer. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner took part in the employment process in 2012-13 and 2014-15 and the petitioner submitted the documents and certificates of the teachers to the Block Education Officer employed during that period as is apparent from the receiving dated 24.06.2015. It will be pertinent to mention that this was done much prior to the deadline.”

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the nature of accusation, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj(Rohtas) in connection with Nasriganj P.S. Case No. 46 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted on filing affidavit to the effect that they will cooperate

in the investigation. Non-cooperation in the investigation will give liberty to the learned Court below to cancel the bail bonds of the petitioner.

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(Dinesh Kumar Singh, J)