

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43098 of 2016

Arising Out of PS.Case No. -237 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

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Chandrakeshwar Ram, son of Late Sidhi Ram, Resident of Village-
Matkipur, P.S.- Dansoi (wrongly mentioned as Rajpur in FIR), District-
Buxar Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Sri Ajay Kumar -2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 28-10-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Buxar (M) P.S. Case No. 237 of 2015, disclosing offences under
Section 409 of the Indian Penal Code.

The allegation against the petitioner is that before he
was transferred and posted as Panchayat Secretary of Chausa
Gram Panchayat, he was holding same position at Nadaon Gram
Panchayat. Allegedly, he did not hand over the charge of various
documents to his successor before, he got relieved from the post of
Panchayat Secretary, Nadaon. The By an order dated 25.10.2016,
the petitioner was allowed to satisfy this Court by making specific
statement as to whether he had handed over the charge of all the
documents or not before he was being relieved from the post of
Panchayat Secretary, Nadaon Gram Panchayat.

A supplementary affidavit is being filed today wherein it has been stated that the very fact that the petitioner was relieved from his earlier place of posting goes to show that he must have handed over the charge.

I do not find this plea/submission sufficient to satisfy this Court that the petitioner had, in fact, handed over those documents to his successor at Nadaon Gram Panchayut. I do not find this is a fit case for grant of anticipatory bail particularly when the petitioner is a public servant and he has attempted to play hide and seek with this Court.

Accordingly, this application for anticipatory bail is, hereby, rejected.

The petitioner is directed to surrender before the court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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