

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10605 of 2017

Arising Out of PS.Case No. -119 Year- 2016 Thana -KHAIRA District- SARAN

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1. Brij Bihari Prasad Yadav, S/o Late Nayak Prasad Yadav, Resident of Village + P.O.- Madhopur, P.S.- Marhaura, District- Saran, presently working as Panchayat Secretary at Dariyapur, Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The State of Bihar through Vigilance Department Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary
For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary
For the Vigilance : Mr. Ramakant Sharma, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 16-03-2017 Heard both sides.

The petitioner apprehends his arrest in Khaira (Saran) P.S. case No.119 of 2016, Spl. Case No. 34/2016, under Section 420, 120B, 201 of the Indian Penal Code and under Section 13(2) of the Prevention of Corruption Act.

The present case was lodged on the allegation that petitioner being Panchayat Secretary of Tujarpur Panchayat did not hand over the charge of records and registers with regard to appointment of Panchayat Teachers.

The learned counsel for the petitioner submits that from perusal of Annexure-2, at page 17, it would appear that



petitioner handed over charge to Anil Kumar Tiwari on 14.07.2011 and there is no document with the petitioner.

Considering the facts aforesaid that petitioner has already handed over the charge to his successor, Anil Kumar Tiwary, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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 Special Judge, Vigilance, North Bihar, Muzaffarpur in Khaira (Saran) P.S. Case No. 119 of 2016, Spl. Case No. 34 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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