

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7916 of 2017**

Arising Out of PS.Case No. -479 Year- 2016 Thana -BHAGALPUR KOTWALI District-  
BHAGALPUR

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Umesh Prasad Yadav Son of Late Dhaneshwar Yadav Resident of Village +  
Post Office - Rani Diara, Police Station - Pirpaiti, District - Bhagalpur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      23-02-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Kotwali  
(Adampur) P.S. Case No. 479 of 2016 instituted for the offence  
under Section (s) 409, 420 of the Indian Penal Code.

It is alleged that in the light of the order passed  
by this Hon'ble Court in C.W.J.C. No. 15459 of 2014 and also in  
the light of the letter issued by the Department, Panchayat  
Secretaries were directed to submit the educational certificates,  
training certificates, merit lists of teachers appointed in different  
primary schools. It is alleged against this petitioner that he being  
Panchayat Secretary under Kharik Block did not submit the  
aforesaid documents to the authority concerned with respect to one  
teacher appointed in the year 2006 under Lokmanpur block.



It has been submitted on behalf of the petitioner that petitioner joined as Panchayat Secretary in Lokmanpur block on 28.07.2016 and prior to that his predecessor has already submitted the documents on 28.11.2015 before the concerned authority which has been brought on record as Annexure-2 and 2A of the present application. It has further been submitted that documents with respect to one teacher was not submitted before the authority concerned since the said teacher is not in service as he has been appointed as Trained Teacher in the higher pay scale and he is working as government teacher in Bhagwanpura Panchayat in Kharik Block.

In the facts and circumstances of the case, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Kotwali (Adampur) P.S. Case No. 479 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

**(Sanjay Priya, J)**

Shageer/-

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