

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18151 of 2017

Arising Out of PS.Case No. -241 Year- 2016 Thana -ARWAL District- JEHANABAD

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Suraj Dayal Ram, Son of late Ram Das Ram, then Mukhiya of Gram Panchayat Abgila, Resident of Village Haibatpur, P.S. Rampur Chauram, District- Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Paras Nath, Advocate.

For the Opposite Party : Mr. Amitesh Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-05-2017 Heard both sides.

The petitioner apprehends his arrest in Arwal P.S. Case No. 241 of 2016 registered for the offence punishable under Section 420 and other Sections of the Indian Penal Code.

The S.I. Vigilance department during course of enquiry came to know that three Rinku Kumari of the same name and parentage name, are working as Panchayat teacher in three schools which are Gram Panchayat Mainpura under Kaler Block, Gram Panchayat Sohna under Kaler Block and Gram Panchayat Abgila under Arwal Block. All the four Rinku Kumari are working as primary teacher on four places by using T.E.T. mark sheet of one Rinku Kumari. One Rinku Kumari is posted in Gaya district.

Learned counsel for the petitioner submits that the petitioner is Mukhiya of Gram Panchayat, Abgila. The duty of



scrutinizing the application forms and the mark sheet are entrusted to the Panchayat Sachiv and a nominated member of the teacher of the school. It is not the duty of the Mukhiya, the petitioner, to check and scrutinize the additional qualification and other documents of the candidates but, since the petitioner is Mukhiya of the Gram Panchayat has also been made accused in the case.

It appears from the rules of Bihar Panchayat Primary Teachers Appointment and Service Condition Rules, 2012 that the work for preparing merit list was entrusted to Panchayat Sachiv and a nominated member of the teacher of the school as per rule-9 of the aforesaid rules.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the 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 Chief Judicial Magistrate, Arwal in Arwal P.S. Case No. 241 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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