

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32954 of 2017

Arising Out of PS.Case No. -147 Year- 2017 Thana -CHAPRA TOWN District- SARAN

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Rajendra Rai, son of Late Banshi Ray, Resident of Village- Pakwaliya, P.S.-
Awatar Nagar, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar 3, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 20-09-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Chapra Town
- P.S. Case No. 147 of 2017 instituted for the offence under
- Sections 420 and 409 of the Indian Penal Code.
- It has been submitted on behalf of the petitioner that
- informant never applied for the post of Panchayat teacher in Gram
- Panchayat Raipur Vindgawan, in the year 2006. Subsequent to the
- complaint before Hon'ble Lokayukta, Bihar, Patna, the matter was
- enquired by the Executive Magistrate and report was submitted on
- 23.01.2007. It is mentioned in the report dated 23.01.2007, that
- name of Rekha Kumari is not mentioned in the list of the
- candidates. Further enquiry was conducted by the Block
- Development Officer on the complaint of Rekha Kumari, who



submitted his report on 11.12.2007 which reveals that in spite of issuance of notice to the complainant Rekha Kumari for her appearance, in the said enquiry, she never turned up. It has further been submitted that complainant had also liberty to file the complaint before the Bihar Teacher Appointment Appellate Tribunal, if she was aggrieved by the aforesaid appointment in the year 2006.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Chapra Town P.S. Case No. 147 of 2017, 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, Saran at Chapra, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to
move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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