

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31923 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -ALOULI District- KHAGARIA

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1. Babua Narayan Paswan Son of Chamaru Paswan, Resident of Village +P.O., Gaura Shakti, P.S.- Mufasil, District- Khagaria.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Krishna

For the Opposite Party/s : Mr. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and the State.

The Petitioner is apprehending his arrest in **Alauli P.S. Case No. 51 of 2016, (Special) Case No. 08 of 2016 (R-759/16)** registered for the offence punishable under Sections 420, 201, 120B of the Indian Penal Code and Section 13(2) r/w 13(2) (d) of Prevention of Corruption Act.

The allegation against the petitioner who is a Panchayat Secretary is that he did not provide the file folder of the teachers appointed on contract, to the superior authorities.

It has been submitted on behalf of the petitioner that the petitioner was not given charge by his predecessor. It has been further submitted that this may be a case of insubordination



and no criminal liability is made out. Similarly situated co-accused persons have been granted bail by a co-ordinate bench of this Court vide order dated 20.04.2017 in Criminal Miscellaneous No. 9000 of 2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned **Special Judge, Vigilance-II, Patna** in connection with **Alauli P.S. Case No. 51 of 2016, (Special Case No. 08 of 2016 (R-759/16))**; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(S. Kumar, J)

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