

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25159 of 2017

Arising Out of PS.Case No. -127 Year- 2016 Thana -SANDESH District- BHOJPUR

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Chandeshwar Upadhyay son of Late Keshav Upadhyay, resident of village-
Maraupur, P.S.- Narayanpur, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate
For the State : None

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner. Despite repeated calls, no body appears on behalf of the State.

The petitioner seeks pre-arrest bail in connection with Sandesh P.S. Case No.127 of 2016 registered under Sections 420 and 409/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that the petitioner was not Panchayat Secretary of Gram Panchayat Khandol Block, Sandesh and, as such, he was not the custodian of the documents of Khandol Panchayat. He was Panchayat Secretary of Gram Panchayat, Khandol from 03.12.2007 to 30.12.2010 and when he was transferred he handed over charge to his predecessor Nand Kishore Singh on 30.12.2010. He submitted that the informant has lodged this case after six years of his transfer to get



folder files of the counseling of teachers from the petitioner. He also submitted that another co-accused Jai Nandan Prasad, who was Ex-Panchayat Secretary of Kori Panchayat has been granted pre-arrest bail by the court below itself vide A.B.P. No.1370 of 2016.

Regard being had to the facts and circumstances of the case, the petitioner named above is directed to be released on 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, Bhojpur at Ara in connection with Sandesh P.S. Case No.127 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender in the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Md.S./-

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