

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21995 of 2017

Arising Out of PS.Case No. -212 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

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Rajeshwar Prasad Son of Late Kailash Singh, Resident of Village- Uttar
Sarethu, P.S.- Pali, District- Jehanabad. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner apprehends his arrest in connection with
Makhdumpur Tehta P.S. Case No. 212 of 2016 registered for the
offences punishable under Sections 409 and 420 of the Indian
Penal Code.

Allegedly, the petitioner being Panchayat Secretary of
Kohara Gram Panchayat did not submit Folders relating to
appointment of Teachers during the period of 2003-06, 2008-10
and 2012.

Submission is of false implication and that the petitioner
was posted as Panchayat Secretary of Gram Panchayat Kohara
only from 28.12.2015 to 21.04.2016 and during the aforesaid
period no appointment was done and ex-panchayat secretary did
not give charge of wanting Folders to him. He has already



deposited 21 Folders which were available as 2 Folders were not available, the petitioner was not able to deposit the same, for non-depositing the Folders no criminal offence is made out and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that the petitioner has already deposited 21 Folders and as such the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of 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, Jehanabad in connection with Makhdumpur Tehta P.S. Case No. 212 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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