

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.859 of 2017

Arising Out of PS.Case No. -91 Year- 2016 Thana -RAGHUNATHPUR District- SIWAN

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Naw Nath Mishra Son of Late Ram Dutta Mishra Resident of Village and P.O. Dumrahar Khurd, P.S.- Darauli, District- Siwan At present posted as Panchayat Secretary, Gram Panchayate Raj , Narahan, P.S. Raghunathpur ,District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-02-2017 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Raghunathpur P.S. Case No. 91 of 2016 for the offence punishable under section 409 of the I.P.C.

Allegedly, the petitioner being Panchayat Secretary of Gram Panchayat Narahan, Block- Raghunathpur did not submit relevant papers etc. regarding appointment of the teachers.

Submission is of false implication and that earlier the Panchayat Secretary was Surendra Nath Tiwary and he has not handed over the charge of those papers to the petitioner and for



that the petitioner has filed a petition on 25.02.2016 annexing copy of the charge report, but without any fault the petitioner has been implicated in this case, whatever paper was in custody of the petitioner he has already handed over the same.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, considering that during the period of petitioner's posting no appointment was made and as no charge was given regarding those papers and as such the petitioner, 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 furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Siwan in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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