

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51565 of 2017**

Arising Out of PS. Case No.-92 Year-2016 Thana- MEHANDIA District- Jehanabad

Nawal Kishore Pathak, son of Sri Dudheswar Pathak, resident of Village-  
Barsima, P.S.- Alipur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. SRI SHYAMESHWAR DAYAL

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      09-11-2017      Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered  
for the offences punishable under sections 120B of the IPC.

The prosecution case is that the petitioner being Panchayat  
Secretary of Pahleja Panchayat, did not hand over the merit list  
and other relevant document with regard to appointment of  
Panchayat Teachers during the period 2003, 2005 and 2006,  
which obstructed the conduction of enquiry by the Vigilance.

It is submitted by learned counsel for the petitioner that  
the appointment was not made during his tenure. The petitioner  
was posted as Panchayat Secretary at the Panchayat in question  
in 2008 and was transferred from therein in 2012. Moreover, the  
petitioner claims that he was not handed over the merit list or  
other relevant documents by his predecessor and similarly



situated co accused Raj Balam Sharma and Bipin Bihari Sharma have been granted anticipatory bail vide Cr. Misc. Nos. 19052 of 2017 and 10629 of 2017. Statement has been made in paragraph 3 that the petitionr is accused in one other case in which he has been granted anticipatory bail.

Considering the nature of accusation which warranted initiation of departmental proceeding instead of lodging criminal case, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Arwal in connection with Mehandia P.S. Case No. 92 of 2016.

**(Dinesh Kumar Singh, J)**

anil/-

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