

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10629 of 2017

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

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Bipin Bihari Sharma S/o Late Shiv Ranjan Singh, Resident of Village-bataspur, P.S.-Shakurabad, District-Jehanabad, Retiral Panchayt Sevak of Gram Panchayat Injor.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary
For the State : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-03-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Mahendia P.S. Case No. 92 of 2016 instituted for the offence under sections 420/34 of the Indian Penal Code.

It is alleged against this petitioner that he did not hand over the document with regard to employment of teachers appointed during 2003-2005 and 2006.

It is submitted on behalf of the petitioner that he retired from service on 31.1.2011 as Panchayat Secretary, Karpi. It has further been submitted that he was Revenue Karamchari. He was posted at Kaler as Panchayat Sewak, during this period i.e. 2003, 2005 and 2006 and in the year 2009 at the time of his transfer from Kaler to Karpi he handed over the charge with all documents and joined at Karpi. It has further been submitted that prior to 2016 ((lodging of the F.I.R.) the employee who had taken charge from the petitioner in 2009 never claimed or sent any complaint to the higher



authority with regard to not handing over the record of teachers appointment.

Counsel has also pointed out (Annexure-1) at pages 3-4, which is part of the FIR wherein the present Panchayat Secretary has stated that he has not received any document from the then Panchayat Secretary, Indradev Singh. The then Panchayat Secretary, Indradev Singh has stated that he has not received any document with regard to appointment of Panchayat teachers from Sri Vijay Ram the then Panchayat Secretary. Likewise, the then Panchayat Secretary, Vijay Ram has stated that he has not received any document with regard to appointment of Panchayat Teacher from this petitioner.

In this manner, from these circumstances, it appears that name of the petitioner has been disclosed by the persons who are presently posted as Panchayat Secretaries. The petitioner has already retired from service.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner named above, within six weeks from today, in connection with Mahendia P.S. Case No. 92 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J)

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