

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20709 of 2017

Arising Out of PS.Case No. -391 Year- 2016 Thana -AMARPUR District- BANKA

=====

1. Ganesh Prasad Mandal S/o- Late Jodhan Mandal, Resident of Village-
Dhanaura, P.S.- Ekchari, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. M.Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL

ORAL ORDER

5 10-08-2017 Heard Mr. Kumar for the petitioner and Mr. Dayal

APP for the State.

Apprehending his arrest in connection with Amarpur
(Fullidumar) P.S. case no. 391 of 2016, registered under Sections
166-A, 409/34 of the IPC, the petitioner has prayed for
anticipatory bail.

The B.E.O. had lodged the case that in spite of
instructions/directions, the petitioner did not furnish the relevant
papers concerning the employment/engagement of teachers.

It is submitted with reference to Annexure-2 that the
petitioner, on transfer, had already made over charge of all the
relevant files to the new incumbent. For this reason, he could not
comply with the instruction/directions. If there is non- compliance
of the instructions, the petitioner may be liable for departmental



proceeding but not for a criminal proceeding. It is also submitted that some other accused persons having identical allegations have been privileged with anticipatory bail.

Mr. Dayal, while opposing the prayer, points out that the appellant has been evading arrest.

Considering the facts and circumstances of the case, in the event of his arrest/surrender before the Court below within a period of 04 weeks from today, petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Banka, in connection with Amarpur (Fullidumar) P.S. case no. 391 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.with further following conditions:

- (1) One of the bailors shall be the own/close family member of the petitioner.
- (2) No sooner the charges are framed in the case, the petitioner shall appear in person on each date fixed at the trial. In case of defaults on two consecutive dates, the trial Court



shall cancel the bail bond of the
petitioner and secure his arrest

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--

