

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4340 of 2017

Arising Out of PS.Case No. -152 Year- 2016 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Pramod Narayan Pandey, S/O Kamta Pandey, resident of village-Konar, P.S. Shiosagar, District- Rohtas, at present posted as Panchayat Secretary at Rajpur Block, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-02-2017 Heard the parties.

This application has been filed in connection with Nasriganj (Rajpur) Police Station Case No.152 of 2016 for the offence under Section 409 of the Indian Penal Code.

It is submitted on behalf of the petitioner that a general instruction was issued by the Block Education Officer to all the Panchayat Secretaries to submit folder file with regard to appointment of Panchayat Teachers. The petitioner had also to submit the file folder but as a matter of fact he has joined as Panchayat Secretary to Mangarwadia Panchayat on 27.7.2015 and by 18.3.2016, he has deposited whatever documents was available by that time but in spite of that, a case has been lodged against this petitioner also. The petitioner is ready to co-operate in the investigation of the case, if he is enlarged on anticipatory bail.

Heard learned A.P.P. also.

Having heard both sides. In view of the submission of the learned counsel for the petitioner and the materials available on



record, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Bikramganj in connection with Nasriganj (Rajpur) Police Station Case No.152 of 2016 , subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.
- (iii) If any document is demanded by the authority concerned and that is available with the petitioner, he should submit the same to the authority concerned on their demand.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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