

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12895 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -BALIA District- BEGUSARAI

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1. Ram Nandan Paswan (Ex-Secretary), Son of Late Bindeshwari Paswan,
Resident of Village- Saryat, P.S.- Bhagwanpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-05-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 409 of the Indian Penal Code.

The petitioner was Panchayat Secretary. Allegation is that he did not provide the service record of teachers appointed on contract basis.

Submission is that the appointment was of the period prior to joining of the petitioner as Panchayat Secretary at the referred place. Even if allegation is assumed to be correct this may be a case of insubordination of the government servant and not a case giving rise to any criminal liability.



Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 learned Chief Judicial Magistrate, Begusarai/Successor Court in connection with Ballia Police Station Case No.169 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. With further condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

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