

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19052 of 2017**

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

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1. Raj Ballabh Sharma, (Panchayat Secretary), S/o Late Sakal Singh, R/o  
Bandhubanj, Dih, P.S. Ghoshi, Dist.- Jahanabad.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

2      24-05-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner apprehends his arrest in connection  
with Mehandia P.S. Case No. 92 of 2016, registered for the  
offence punishable under Section 420/34 of the Indian Penal  
Code.

Allegedly, the petitioner did not hand over the  
document with regard to employment of teacher's appointment  
during the year 2003-2005 and 2006.

Submission is of false implication and that the  
petitioner was Panchayat Secretary, Belsar and he was transferred  
from there in the year 2007 and he has handed over the charge to  
new incumbent, the petitioner has not committed any irregularity,  
the employee who had taken charge from the petitioner in the year



2007 never claimed or sent any complaint to the higher authority with regard to the charge handing over to the teacher's appointment and after long lapse of time the petitioner is being called. Similarly situated co-accused Bipin Bihari Sharm has been allowed pre-arrest bail vide Cr. Misc. No. 10629 of 2017 by another co-ordinate bench of this Court vide Annexure-3 and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail but fairly submit that the name of the petitioner has been disclosed by the persons who are presently posted as Panchayat Secretary.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Arwal (Jahanabad), in connection with Mehandia P.S. Case No. 92 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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