

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61495 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -ALOUULI District- KHAGARIA

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Ravindra Das, Son of Late Mahendra Das, Resident of Village-Chak Hussaini, P.O.-Mansi, Police Station-Mansi, District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar through Vigilance. Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Krishna

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 19-12-2017

Heard learned counsel for the petitioner and

learned counsel for the Vigilance.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 201, 120B of the Indian Penal Code and Sections 13(2) read with 13(2)(d) of Prevention of Corruption Act.

The prosecution case is that in pursuance to an order passed by Division Bench in a PIL the Vigilance was entrusted with the enquiry with regard to the illegal appointment of Panchayat Teachers, consequently some folders with regard to the appointment of Panchayat Teachers between 2003 to 2008 were asked from the petitioner, but the petitioner failed to provide the same and hence, he has been made accused in the



present case.

It is submitted by learned counsel for the petitioners that the appointments were made during 2003 to 2008 and at that time the petitioner was not Panchayat Secretary of Gram Panchayat Chilkauri and Bhikhari Ghat. Petitioner joined as Panchayat Secretary in January, 2016. Moreover, the folders were not handed over to the petitioner by the predecessor and considering the nature of accusation which was warranted some disciplinary action against the concerned officers, a co-ordinate Bench of this Court vide order dated 20.04.2017 passed in Cr. Misc. No. 9000 of 2017, as contained in Annexure-4, granted anticipatory bail to Shambhu Sharan Singh, Kailash Pati, Rajendra Prasad Singh and Mani Kumar Chaurasia.

Learned counsel for the Vigilance submits that the petitioner obstructed in investigation of the case which was being initiated in pursuance to the direction of this Court and hence, the case has been lodged.

Considering the nature of accusation and the fact that similarly situated persons have been granted anticipatory bail, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today,



on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-II, Patna in connection with Special Case No. 08 of 2016 (R-759/16) arising out of Alauli P.S. Case No. 51 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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