

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29840 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -UDAKISHANGANJ District- MADHEPURA

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1. Bindeshwari Ram, Son of Late Jagdev Ram Resident of Village-
Khurhan, P.O.- Khurhan P.S.- Alamnagar, District- Madhepura.
2. Binay Kumar Ram, Son of Bhola Ram, residents of Village- Paina, P.S.
- Chausa, District- Madhepura, Panchayat Secretary under Gram Panchayat
Bharrahi Anandpura, P.S.- Udakishunganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor for the State.

The petitioners apprehend their arrest in Udakishunganj
P.S. 133 of 2016 instituted for the offence under Sections-217,
420, 409/34 of the Indian Penal Code.

As per written report, petitioners being Panchayat
Secretaries, did not submit the folders of education certificates of
different contract teachers, merit list in spite of direction of
District Programme Officer for the period 2003, 2005, 2006, 2012.

It has been submitted on behalf of petitioners that
petitioner No. 1 joined his post in concerned Gram Panchayat on
11-08-2012 whereas; petitioner No. 2 joined his post on 23-12-
2012. Petitioners have already informed the concerned authority



that their predecessors have not handed over the required documents.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above in the event of their arrest/surrender in the court below within six weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Udakishunganj P.S. 133 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura subject to conditions as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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