

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5149 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -BOCHAHAN District- MUZAFFARPUR

- =====
1. Ram Kumar Pandey, son of Late Ram Janam Pandey, Panchayat Secretary, Gram Panchayat Raj, Aadi Gopalpur, Manjhauli Karnpur, North and Unsar, Village- Nawalpur, Police Station- Kathaiya, District- Muzaffarpur.
 2. Vinod Kumar Singh, son of Late Gurudeo Prasad Singh, Panchayat Secretary, Panchayat Raj Bishunpur Jagdish, resident of Village- Nuniadih Mahmada, Police Station- Baruraj, District- Muzaffarpur.
 3. Dilip Singh, son of Nand Kishore Singh, Panchayat Secretary Gram Panchayat of Raj Garha, resident of Village- Jian, Police Station- Karja, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 20-03-2017 This case has been listed under the heading “ To be Mentioned.”

It appears that earlier order dated 21.02.2017, the petitioners, above named, have been granted anticipatory bail in connection with Bochahan Police Station Case No. 121 of 2016 but, inadvertently, instead of Cr. Misc. No. 5149 of 2017, Cr. Misc. No. 5149 of 2016 has been typed and, therefore, in the cause title, name of the petitioners have been changed.

In such view of the matter, aforesaid order dated 21.02.2017 is rescinded and the following order is being passed;



Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bochahan Police Station Case No. 121 of 2016, disclosing offences under Sections 420, 409, 201 and 188 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners and have falsely been implicated in this case. In fact, earlier Panchayat Sachiv did not handed over the charge of panchayat regarding the merit list and roster of teacher, which is evident from annexure-2, to the petitioner No.1. Petitioner Nos. 2 and 3, are said to have already been submitted the entire document in question, for which the entire case has been lodged, to the Block education officer, Bochahan, which is evident from annexue-3/3A. No case as alleged in the F.I.R. is made out against these petitioners. Hence, the petitioner also deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-cum- Sub- Judge-
11th, Muzaffarpur, in connection with Bochahan Police Station
Case No. 121 of 2016, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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