

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2451 of 2017

Arising Out of PS.Case No. -50 Year- 2016 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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Daroga Sah, Son of Late Baidyanath Sah, Resident of Village-Nandpur
Dihi, P.S.-Bairia, District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 11-04-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Gaunaha P.S. Case No.50 of 2016 registered under Sections 409,
420 and 188 of the Indian Penal Code.

The accusation is that in course of vigilance inquiry,
the merit list and other relevant documents regarding the
appointment of Panchayat teachers in between the period from
2003-2015 were called for from the different Panchayat
Secretaries of different Panchayats and the petitioner being the
Panchayat Secretary of Lachhnauta Gram Panchayat did not supply
the relevant documents.



Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner took the charge of Panchayat Secretary of Lachhnauta Gram Panchayat on 28.07.2011 from Quamaruddin Ansari, the then Panchayat Secretary of Lachhnauta Gram Panchayat, but he has not handed over all the documents to the petitioner at the time of handing over the charge by him. In view of the letter issued by the District Education Officer, the petitioner supplied the documents, which were taken by him by Quamaruddin Ansari, the then Panchayat Secretary of Lachhnauta Gram Panchayat, and vide letters dated 23.12.2015 and 17.12.2016, the petitioner also informed the Block Development Officer, Gaunaha, and the Block Education Officer, Gaunaha, respectively about non handing over all the documents to him by Quamaruddin Ansari, the then Panchayat Secretary of Lachhnauta Gram Panchayat and, accordingly, the Block Development Officer, Gaunaha, vide letter dated 08.03.2016 addressed to the Block Development Officer, Majhauria, indicated the name of Quamaruddin Ansari, the then Panchayat Secretary of Lachhnauta Gram Panchayat, to hand over the charge of all the documents to the petitioner. A such, the petitioner was not in fault in not supplying the whole documents as required by the District Education Officer, Gaunaha, in connection with the vigilance



inquiry.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Bettiah, West Champaran, in connection with Gaunaha P.S. Case No.50 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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