

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9000 of 2017

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

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1. Shambhu Sharan Singh, son of Late Deep Narain Singh, resident of Village+PO- Kaithi, PS- Chautham, District- Khagaria (Bihar).
2. Kailash Pati, son of Late Ajablal Mandal, resident of Village+PO- Baisa, P.S.- Parbatta, OP- Maraiya, District- Khagaria (Bihar).
3. Rajendra Prasad Singh, son of Late Ramdhari Singh, resident of Village+PO- Sondiha, P.S.- Pasraha, District- Khagaria (Bihar).
4. Mani Kumar Chaurasia, son of Late Ramji Prasad Chaurasia, resident of Village+PO- Madarpur, PS- Maheshkhunt, District- Khagaria (Bihar).

.... Petitioner/s

Versus

The State of Bihar through the Vigilance.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Krishna
For the Opposite Party/s : Mr. Sri Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 20-04-2017 A supplementary affidavit has been filed and submission is that in view of the statement in the supplementary affidavit, the defect no.14(2) may be ignored. Accordingly, the same is ignored.

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

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

Allegation against the petitioners, who were Panchayat Secretaries, is that they did not provide file folder of the



teachers appointed on contract to the superior authorities.

Submission of the petitioners is that this may be a case of insubordination of the government servant, but no criminal liability is made out.

Learned counsel for the Vigilance has opposed the prayer for bail.

In 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 a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance-II, Patna/Successor Court in connection with Alauli P.S. Case No.51 of 2016 (District Khagaria) (Special Case No.08 of 2016) (R.759/16), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to the further condition that petitioners shall fully cooperate with the investigation and trial of the case, failing which the Court below shall be at liberty to take steps for cancellation of the bail bonds of the petitioners in this case.

Arvind/-

(Birendra Kumar, J)

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