

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35302 of 2017

Arising Out of PS.Case No. -161 Year- 2016 Thana -BAKHRI District- BEGUSARAI

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Kamal Kishore Choudhary, Son of Ram Suresh Choudhary, Resident of
Village- Fateha, P.S.- Bachhwara, District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party : Mr. Sri Parmeshwar Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Bakhri P.S. Case No. 161 of 2016, registered for the offences
punishable under Sections 175, 188, 353 of the Indian Penal Code.

Allegedly, the petitioner being Panchayat Secretary
did not provide the service records of the teachers, who were
appointed.

Submission is of false implication and that no
criminal offence is made out against the petitioner, the records
which were available have already been produced and which are
not available have not been produced and moreover this is a case
of insubordination of government servant. Similarly situated co-



accused Dinesh Prasad Sahani @ Dinesh Sahani @ Dinesh Prasad has been allowed pre-arrest bail passed in Cr. Misc. No. 22012 of 2017 vide order dated 18.05.2017 by another co-ordinate bench of this Court and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from that co-accused.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Begusarai, in connection with Bakhri P.S. Case No. 161 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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