

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21956 of 2018

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

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Naresh Das S/o Late Jageshwar Das, Panchayat Secretary, Gram Panchayat Raj Chatarghat and Panchayat Secretary Gram Panchayat Raj, Allouli, District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance Investigation Bureau, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner apprehends arrest in connection with Allouli P.S. Case No.51 of 2016 (Spl. Case No.08 of 2016) registered for the offences under Sections 420, 201 and 120(B) of the Indian Penal Code and Section 13(2), 13(2)(D) of Prevention of Corruption Act.

The allegation against the petitioner, who is Panchayat Secretary, is that he did not provide file folder of the teachers appointed on contract to the superior authorities. The learned counsel for the petitioner submits that this may be a case of insubordination of the government servant, but no criminal liability is made out. With the same allegation, the other



Panchayat Secretaries have been allowed anticipatory bail by different coordinate Benches of this Court in Cr.Misc.No.9000 of 2017, Cr.Misc.No.31923 of 2017 and Cr.Misc.No.61495 of 2017. The case of the petitioner stands on similar footing.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail is allowed and the above named petitioner, in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the likewise amount each to the satisfaction of learned Special Judge-Vigilance II, Patna in connection with Allouli P.S. Case No.51 of 2016 (Spl. Case No.08 of 2016) subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Kumar, J)

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