

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70841 of 2018

Arising Out of PS. Case No.-17 Year-2016 Thana- SARMERA District- Nalanda

Shambhu Sharan Prasad, Son of Rameshwar Mahto, Resident of Pushp Vihar,
Navin Nagar, P.O.- Nawada, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the Block Education Extension Officer, is apprehending his arrest in a case registered for the offences punishable under Sections 409 and 420/34 of the Indian Penal Code.

The prosecution case is that in pursuance to an order passed by a Bench of this Court in a PIL, vigilance enquiry was initiated with regard to illegality in appointment of panchayat teachers. The Panchayat Secretaries were directed to submit folder of all appointed panchayat teachers. The petitioner being the Block Education Extension Officer failed to supply the folder to the investigating agency.

It is submitted by learned counsel for the petitioner



that the petitioner was neither given the charge of folder nor was he ever incharge of the same, statement to that effect has been given in paragraph 8 of the petition. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the nature of accusation, coupled with the fact that the petitioner was not given the charge of alleged folders, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Sarmera P.S. Case No. 17 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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