

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54314 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- Sabaur District- Bhagalpur

Rajendra Mandal, S/o Sri Jiyalal Mandal, R/o Village- Malpur, P.S. Ismailpur,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalan Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

2 12-09-2018 Heard learned counsels for the petitioner and
the State.

Petitioner apprehends his arrest in connection with Sabaur (Goradih) P.S. Case No. 196 of 2018 registered for the offence punishable under sections 419 and 420/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Learned counsel further submitted that the appointment in question was made by the Panchayat



Niyojan Committee of which petitioner was only a member. Present F.I.R. has been lodged by the concerned Authority of the Education Department to save their skin from their inaction. As a matter of fact, after employment, the District Education, Bhagalpur did not allow salaries to the newly appointed teachers against which they moved this court vide C.W.J.C. No. 4330 of 2018 praying therein that the Secretary, Primary Education decide the matter, which was disposed of vide order dated 30.03.2018 (Annexure-2). In the light of the direction of this Court, all the aggrieved persons filed a detailed representation before the Secretary, Primary Education, Government of Bihar which is contained as Annexure-3. The matter was taken up by the Secretary of the Education Department and vide letter dated 04.06.2018 (Annexure-4), hearing of the matter was fixed on 12.06.2018, but on that day District Education Officer, Bhagalpur did not appeared. Petitioner has committed no offence rather he has only discharged his official duty.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
Additional Chief Judicial Magistrate-X, Bhagalpur in
connection with Sabaur (Goradih) P.S. Case No. 196 of 2018
subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

mcv/-Sanjeev

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