

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67326 of 2018

Arising Out of PS. Case No.-180 Year-2018 Thana- AKBARPUR District- Nawada

Shashi Kumar Son of Late Rohi Prasad, Resident of Village-Ghangholi, P.S.-
Nawada, District-Nawada. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 20-12-2018 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection
with Akbarpur P.S. Case No. 180 of 2018 for the offence under
sections 409/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. He submits that petitioner
is Panchayat Sachiv. He submits that he has not appointed any
Panchayat Teacher. He has been fastened with the accountability
in the instant case on account of non-deposit of folder of the
employed teacher posted in the Panchayat concerned where he
is Secretary.

Learned counsel submits that those documents are
not available in the matter of verification of certificate. The
petitioner being the Panchayat Sachiv is required to collect
certificate and other relevant documents of the employed



teachers in the Panchayat and submit the same to the District Programme Officer for verification.

Considering the aforesaid, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on provisional bail for three months on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Nawada, in connection with Akbarpur P.S. Case No. 180 of 2018 on the condition that petitioner has to collect the entire certificate and other documents for verification of the certificate of the employed teachers and on failure on the part of the petitioner in collecting those information and submission to the District Programme Officer may be sufficient for cancellation of bail bond of the petitioner. In the event the petitioner furnish those details to the District Programme Officer, the Court below is directed to make the provisional bail absolute including the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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