

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62001 of 2017

Arising Out of PS. Case No.-20 Year-2017 Thana- KURTHA District- Jehanabad

Raj Ballabh Sharma @ Raj Ballam Sharma, S/o Late Sakal Singh, (The then Panchayat Secretary of Gram Panchayat Nidhwa), R/o Bandhubanj, P.S.- Ghoshi, Dist- Jahanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. MANISH KUMAR 2, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 27-02-2018 Heard counsel for the petitioner and counsel appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Kurtha P.S. Case No. 20 of 2017 for offences under Sections 419, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the present case was registered by the Police Inspector, Vigilance, who was entrusted with the verification of Niyojit Shikshak appointed in the district of Arwal. The informant of the case, on the basis of complaint made by one Sunil Kumar Yadav, enquired into the matter and came to know that one Siya Mani Kumari was working as Panchayat Shikshak on the basis of forged certificate and documents of Rashmi Kumari, who was, in fact, appointed



in the block as Panchayat Shikshak by the employment unit.

From perusal of the written complaint, it appears that there is only statement that Siya Mani Kumari, who was not selected for appointment as Panchayat Shikshak, is continuing in place of Rashmi Kumari in connivance with this petitioner, who is the Panchayat Sewak in the concerned Panchayat.

Learned counsel for the petitioner submits that there is no case that any forgery was committed or any manipulation was done by this petitioner in the select list and in place of Rashmi Kumari document was manipulated and Siya Mani Kumari was included in the select list. All that is alleged in the complaint is that Siya Mani Kumari was found working as Panchayat Shikshak in the school where Rashmi Kumari was appointed as Panchayat Shikshak. He also submits that Rashmi Kumari, in whose name Siya Mani Kumari was working, has been granted anticipatory bail by this Court in Cr. Misc. No. 53303 of 2017 on 9.11.2017. There is no allegation that petitioner was instrumental in manipulating any document or manipulated the select list and extended any help to Siya Mani Kumari in working as Panchayat Shikshak in place of Rashmi Kumari.

In view of the above, the court is inclined to grant



anticipatory bail to the petitioner. Let the petitioner, above named, in the event of arrest or surrender within one month from today, 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 the Chief Judicial Magistrate, Arwal in connection with Kurtha P. S. Case No. 20 of 2017, subject to the conditions that bailors should be the family members of the petitioner and further conditions as laid down under Section 438(2) Cr. P. C.

(Anil Kumar Upadhyay, J)

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