

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25670 of 2018

Arising Out of PS. Case No.-88 Year-2017 Thana- MANER District- Patna

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Banshi Singh, S/o- Sri Anant Rai, Co- Secretary Gram Panchayat Vitta
Chouhattar East, R/o- Anandpur, P.S.-Bihata, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Mohan Mishra, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 17-12-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection
with Maner P.S. Case No. 88 of 2017 for the offence under
Sections 409 and 420 of the Indian Penal Code.

In the instant case, case diary was called for.

Learned counsel for the State submits that from
perusal of the case diary it would be evident that in the instant
case without any sanction of law and without approval of the
higher authority appointment letter was issued by the petitioner
as Panchayat Secretary.

Learned counsel for the petitioner submits that
Panchayat Secretary is not the appointing authority and
appointment was done in the camp.

Considering the aforesaid fact, the Court is not
inclined to grant anticipatory bail to the petitioner. Accordingly,



the prayer for grant of anticipatory bail is rejected.

In the event, the petitioner surrenders before the court below and prays for regular bail, the court below is directed to dispose of the application for grant of bail on the same day on its own merit without being influenced by the rejection of anticipatory bail application by this Court.

(Anil Kumar Upadhyay, J)

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