

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18216 of 2018

Arising Out of PS.Case No. -64 Year- 2016 Thana -DARIYAPUR District- SARAN

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1. Kishori Manjhi, Son of Late Ramdhari Manjhi, Resident of Village-Kotheya, P.S.- Jalalpur, District- Saran at present posted as Panchayat Sachiv. At Dariyapur Block in Panchayat Raj Pratappur, Veshambharpur, Patepur Chain.
 2. Ashok Ram @ Ashok Kumar, Son of Late Mahesh Ram, Resident of Village- Sadha Jathi Pokhra, P.S.- Sadha Chapra, District- Saran. At present posted at Manjhi Block in West Manjhi.
 3. Shambhu Nath Mishra, Son of Late Ganesh Mishra, Resident of Village+P.O.- Dhanaw, P.S.- Baniayapur, District- Saran. at present posted as Panchayat Sachiv at Dariyapur Block in Panchayat Harna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Mishra, Advocate.
For the Opposite Party/s : Smt. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Dariyapur P.S. Case No. 64 of 2016** instituted for the offence under Sections 420/120(B), 201 of the Indian Penal Code and Section 13(2) of P.C. Act.

It has been submitted on behalf of the petitioners that case has been registered against the petitioners on 10.03.2016. The petitioners have submitted all documents related to *Niyojit* Teachers before the BRC Office, Dariyapur, which is evident from



applications dated 16.02.2016 and 17.03.2016. It has further been submitted that informant who is Block Development Officer, has admitted that all documents relating to *Niyojit* Teachers have been deposited by petitioners. The informant has issued a letter to Officer Incharge, Dariyapur Police Station on 18.6.2016 recommending to exonerate petitioner No. 2 from Dariyapur P.S. Case No. 64 of 2016. The only allegation against the petitioners in the First Information Report is that they did not deposit the relevant documents with regard to appointment of *Niyojit* Teachers. It has further been submitted that other co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 10.11.2017 passed in Cr. Misc. 51914 of 2017.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Dariyapur P.S. Case No. 64 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Spl. Judge, Vigilance, North Bihar, Muzaffarpur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with



further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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