

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5009 of 2018

Arising Out of PS. Case No.-53 Year-2016 Thana- KESARIA District- East Champaran

Sheonath Ram S/o Mathura Ram R/o Vill.- Bhagwanpur, P.S.- Pipra Distt.- E.
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 27-02-2018 Heard learned counsel for the petitioner and the
State.

The petitioner apprehends arrest in Keshariya P.S.
Case No. 53 of 2016 instituted for the offence under Sections
175,188,408 of the IPC.

Allegation in the written report is that this petitioner
while posted as Panchayat Secretary did not supply the papers
with regard to appointment of Contract Teachers when the same
was demanded by letter dated 01.02.2016, in terms of the order
of the Director Primary Education. The informant demanded all
certificate of contract teachers to check genuineness of
certificates produced by them but the same was not furnished by
the petitioner.

Learned counsel for the petitioner has submitted that
he was not posted as Panchayat Secretary at the relevant time in



the year 2008, when the appointment took place. He has taken charge as Panchayat Secretary in the year 2016, in support of which he has enclosed his joining letter at annexure-2 to this petition. It has been further submitted that after taking charge he wrote several letters to different authorities in this regard, which is enclosed as annexure-3 series to this petition that folder of appointed contract teachers were not handed over to this petitioner.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Keshariya P.S. Case No. 53 of 2016 to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper



and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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