

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32602 of 2018

Arising Out of PS. Case No.-36 Year-2015 Thana- GUTHNI District- Siwan

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Krishna Singh, S/o Late Ramsharan Singh, R/o Vill. + P.O.- Gonawan, P.S.-
Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

14 02-08-2018

Heard learned counsel for the petitioner and the

A.P.P. for the State.

The petitioner is accused in connection with Guthni
P.S. Case No. 36 of 2015, registered under Sections 409, 420,
467, 468, 471 and 120B of the Indian Penal Code.

The accusation is that petitioner being the Block
Education Officer, Guthni, illegally issued the appointment
letters of 28 applicants, in course of selection of Panchayat
Teachers of second phase in Block Guthni, Siwan, and the same
were not incorporated in the Letter Issuing Register of office of
the Block Guthni, in the year 2010.

Learned counsel for the petitioner submits that,
admittedly, petitioner was posted as Block Education Officer,



Guthni, District -Siwan, in the year 2010 and during the appointment of Panchayat Teachers in second phase in Block Guthni, some miscreants by putting fear to the life of the petitioner got his signature on 28 appointment letters and the same were not entered in the Letter Issuing Register of the Block Guthni. Thereafter, petitioner was put under suspension and in show-cause, he also stated the said facts and during departmental proceeding, the District Programme Officer, Nalanda, who was directed to enquire about the matter, also reported vide letter no. 198 dated 17.02.2016, address to Regional Deputy Director, Purnia Division, which would appear to Annexure 3 to the petition. Further submission is that after obtaining the appointment letters, all 28 applicants filed C.W.J.C. No. 13516 of 2012, which was disposed off on 09.03.2015 and due to non-compliance of order dated 09.03.2015, M.J.C. No. 6731 of 2012 was filed before this court, in which, petitioner and the State appeared and petitioner filed show-cause stating about obtaining the 28 appointment letters of Panchayat Teachers on creating fear of life by some miscreants. It is further submitted that departmental inquiry was initiated against the petitioner and after conclusion of departmental proceeding, the pension of the petitioner was



reduced 5%, as petitioner retired on 31.03.2016. Further submission is that, in fact, 28 appointment letters alleged to be issued by the petitioner, but nobody has joined on the post of Panchayat Teachers in Block Guthni nor any payments was made to them. Further submission is that the occurrence is said to be of year 2010 but the F.I.R. has been lodged in February, 2015. It is further submitted that petitioner is in custody since 06.01.2018 and after investigation the police has already submitted the charge sheet against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Guthni P.S. Case No. 36 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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