

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41048 of 2018

Arising Out of PS.Case No. -39 Year- 2018 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Dinesh Prasad Singh, aged about 57 years, Son of Late Ram Chandra Prasad Singh, Resident of Village+P.O.- Barhauna, Police Station- Chandi, District- Nalanda, The then Panchayat Secretary of Panchayat Brandi, Prakhand- Rahui, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar through the Vigilance Department, Govt. of Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ramakant Sharma (L.O. Inc., Vigilance)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 17-07-2018 Heard learned counsel for the petitioner, learned
counsel for the vigilance and the State.

The petitioner apprehends his arrest in **Spl. Case No. 8 of 2018 arising out of Rahui P.S. Case No. 39 of 2018** instituted for the offence under Sections 419, 420, 467, 471 and 120(B)/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that Ramanuj Prasad has no *locus standi* to file First Information Report.

From the First Information Report it appears that after 14 years of the appointment, the informant has filed complaint without issuing any notice to the appointed teachers namely Ran



Vijay Sinha and Ravi Ranjan Kumar as *Panchayat Shiksha Mitra*.

It has further been submitted that petitioner was Panchayat Secretary at that time and he was not the single member of the appointment committee. The appointment was made by the Committee.

Learned counsel for the vigilance has appeared and opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Spl. Case No. 8 of 2018 arising out of Rahui P.S. Case No. 39 of 2018**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Special Judge, Vigilance 1st, Patna**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if 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.

S.Ali/-

(Sanjay Priya, J)

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