

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9260 of 2019

Arising Out of PS. Case No.-68 Year-2018 Thana- BASOPATTI District- Madhubani

Izharul Kalam, Male, aged about 39 years, Son of Abdul Kalam, Residents of Village – Ekhatha, P.S. Khutauna, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zharul Kalam

For the Opposite Party/s : Mr.Yogendra Kr.Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Basopatti P.S. Case No. 68 of 2018 dated 01.04.2018 registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that from the F.I.R. itself it would appear that the F.I.R. has been lodged against the Panchayat Sachiv who have not carried out the direction of the senior officers and had failed to produce the relevant folders before the Vigilance Department for verification. Learned counsel submits that the petitioner is though not named in the F.I.R., during the investigation, he has been brought within the purview of the case alleging that he



happen to be the Panchayat Sachiv of Birpur Panchayat and he has not handed over the relevant folder for the period 2003 to 2005. Learned counsel submits that petitioner was not Panchayat Sachiv of the Birpur Panchayat during the aforesaid period as he had been transferred from Basopatti Purbi Panchayat to Birpur Panchayat in the month of December, 2008 only.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case, as also that according to learned counsel for the petitioner submits that several other accused persons have been granted the privilege of anticipatory bail by the learned Court below, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Addl.Chief Judicial Magistrate-V, Madhubani, District-Madhubani in connection with Basopatti P.S. Case No. 68 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from



today and shall cooperate in course of investigation. This will be
in addition to condition prescribed under Section 438(2) of the
Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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