

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8797 of 2019

Arising Out of PS. Case No.-220 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Ramanuj Singh Son of Late Bhagwan Sharan Sharma Resident of Village-
Thakuri, P.S.- Paliganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Maruth Nath Roy, Advocate.

For the Opposite Party/s : Mr. Ajay Mishra, A.P.P.

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

ORAL ORDER

3 08-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Daudnagar P.S. Case No.220 of 2018/G.R. No.570 of 2018
registered under Sections 467, 468, 471, 420, 409 and 120(B) of
the Indian Penal Code.

The accusation is that the petitioner being the Block
Education Officer, Daudnagar, Aurangabad, managed to select
the teachers on the basis of the forged document and to make
payment, thereafter, on the basis of the Attendance Register and
standing advice and misappropriated the Government money.

Learned counsel for the petitioner submits that,
admittedly, at the relevant time, the petitioner was posted as



Block Education Officer, Daudnagar, Aurangabad, and, at present, he has retired from the service. In fact, for the appointment of the Panchayat Teachers, there is a committee, as detailed under Section 9(Ga) of the Bihar Panchayat Prambhik Shikshak (Niyojan Evam Sewa Sart) Niyamawali, 2012, according to which the Mukhiya of the Gram Panchayat would be Chairman, Secretary of the Gram Panchayat and three other members, namely, one selected by the Gram Panchayat Samiti, and two others selected by the District Education Officer. As such, there was no role of the petitioner in the selection of the Panchayat Teachers and the petitioner being the Block Education Officer was authorized to release the salary of the Panchayat Teachers according to the Attendance Register of the teachers sent by the Headmasters of the Schools.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Daudnagar P.S. Case No.220 of 2018/G.R. No.570 of 2018,



subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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