

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13452 of 2019

Arising Out of PS. Case No.-177 Year-2018 Thana- DERNI BAZAR District- Saran

Ghanshyam Rai aged about 57 years / Male, Son of Fulena Rai Resident of Chetan Chapra, P.S.- Banyapur, District - Saran, at present posted as Panchayat Secretary Naini Gram Panchayat Raj P.S.- Chapra Muffasil, District - Chapra at Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Lakshmi Kant Sharma, Advocate
For the Opposite Party	:	Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-03-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 419, 420, 409, 467, 468, 471 and 120(B) of the Indian Penal Code registered in connection with Derni P.S. Case No. 177 of 2018.

3. It is submitted that the petitioner has been falsely implicated, and as Panchayat Secretary, he merely happened to be one of the members of the Committee for making the panel for appointment to the post of Panchayat Teachers in terms of Rule 9(vii) (*Kh*) of the Bihar Panchayat Primary Teacher (Employment & Service Conditions) Rules, 2006 and he had no role to play in the matter of verification of the certificates which falls within the domain of the Executive Officer and the Mukhiya under Rule 11 of the Rules, 2006. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Saran at Chapra in connection with Derni P.S. Case No. 177 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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