

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13385 of 2019

Arising Out of PS. Case No.-60 Year-2016 Thana- BAGENGOLA District- Buxar *

SHIV SHANKAR PANDEY Son of Late Dinanath Pandey, Resident of
Village - Jagadara, P.S.- Buxar (Industrial), Distt - Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary
For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Bagen Gola P.S. Case No. 60 of 2016
registered for offence punishable under sections 409 and 420 of
the Indian Penal Code.

The learned counsel for the petitioner submits that
the petitioner was made incharge of Gram Panchayat Bhadwar
in 2014 and the allegation has been made that he has not
submitted the folder of the Panchayat Teacher which was
required to be deposited on the direction given by this Court for
verification of authenticity of the qualification of Panchayat
Teacher but he has stated in paragraph 6 of this application that
all records relating to Panchayat Teacher employment of 2006,



2008 and 2012 which was handed over at the time of taking over charge, have been given to the Block Education Officer and further submitted that prior to 2006 the petitioner has not received any document. He further submits that the petitioner was also made incharge of another gram panchayat where also similar case was lodged and in that case this Court has granted the bail.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Bagen Gola P.S. Case No. 60 of 2016, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner has received the document at the time of taking



over charge and he failed to deposit the same that will be brought by the prosecution before the court below and if the petitioner has received the records prior to 2006 and he has not furnished the same, in that circumstance, the prosecution will have liberty to file an appropriate application for cancellation of his bail before the court below.

(Shivaji Pandey, J)

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