

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22750 of 2019**

Arising Out of PS. Case No.-185 Year-2018 Thana- MAHKAR District- Gaya
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Md. Nesar Ansari @ Nisar Ansari @ Nishar Alam, aged about 52 years,
male, S/o Md. Jebabar Resident of Village - Hathiawan, P.S.- Mahakar,
District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vinod Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 420, 467, 468, 471, 196, 197, 198, 199,
201, 120b of the Indian Penal Code registered in connection with
Mahakar P.S. Case No. 185 of 2018.

3. It is submitted that the petitioner has been falsely
implicated, and as Mukhiya of the Gram Panchayat, he merely
happened to be one of the members of the *Sukh-Suvidha*
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 *Sukh-Suvidha* Committee. Similarly situated co-accused Shailendra Kumar @ Shailendra Singh, who is the Panchayat Secretary has been granted anticipatory bail by this Court in Cr. Misc. No. 79971 of 2018. 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 Chief Judicial Magistrate, Gaya in connection with Mahakar P.S. Case No. 185 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following 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 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.

(iv) 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.

(Vikash Jain, J)

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