

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30374 of 2019**

Arising Out of PS. Case No.-17 Year-2016 Thana- NARDIGANJ District- Nawada

Kapildeo Prasad Son of Late Binda Mahto, Resident of Village Bhatta P.S.
Kashichak, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Ajay Mishra

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered under Sections 420 and 406 of the Indian Penal
Code.

Petitioner who happens to be Panchayat Secretary
of Koshla Panchayat is said to have not deposited the folder of
the appointment of Panchayat teachers till 15.02.2016.

It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and has committed no
offence. He has been falsely implicated in the case. He has
deposited the folder on 10.03.2016 instead of 15.02.2016. The
Block Education Officer has also certified the aforesaid



deposit of the folder by the petitioner as evident from the impugned order. There is no allegation of any defalcation against the petitioner, hence no offence under Section 406 IPC is made out. Petitioner has no criminal antecedent. Shiv Nandan Prasad Yadav, Panchayat Secretary of Dohda Panchayat has been enlarged on anticipatory bail by this Court vide order dated 19.04.2019 passed in Cr. Misc. No. 25249 of 2019.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nawada in connection with Nardiganj P.S. Case No. 17 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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