

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34991 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- SIRDALA District- Nawada

Satyendra Paswan Son of Ganga Prasad Dusad Resident of Village -
Naromurar, Post - Naromurar, P.S.- Barsaliganj, Distt - Nawada (Bihar), Pin
Code – 805131 Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in connection with Sirdala (Mesakaur) P.S. Case No. 29 of 2019 registered for the offences under Sections 406 420 and 34 of the Indian Penal Code.

As per the allegation in the FIR, the petitioner who happens to be the Panchayat Secretary is alleged to have not submitted the folder and record regarding the appointment of Panchayat Teachers and due to the said reasons it is stated that the enquiry could not be made.

Learned counsel for the petitioner submits that he is at present posted as Panchayat Secretary of three Panchayats. So far as two Panchayats is concerned, the documents which were received by him, list thereof has been brought on record as



Annexure 2 to the instant application. As he did not receive the documents in question, therefore, the same could not be produced by him before the authority concerned.

The application for bail has been opposed by the learned APP for the State stating that the enquiry could not proceed because of non-cooperation of the petitioner.

Having heard the learned counsel for the petitioner and the learned APP for the State, in view of the nature of allegation as also in view of the fact that similarly situated co-accused has been enlarged on bail by order dated 15.05.2019 passed in Cr. Misc. No. 32069 of 2019, I am inclined to enlarge the petitioner on bail. Let the petitioner namely, Satyendra Paswan surrender in the Court below within six weeks from today. In case of his arrest or surrender, the petitioner is directed to be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate V, Nawada in connection with Sirdala (Mesakaur) P.S. Case No. 29 of 2019 subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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