

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32069 of 2019

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

Jagat Kishore Prasad Son of Late Kameshwar Mahto Resident of Village -
Chamarbiga, P.S.- Rajauli, Distt – Nawada. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 406
& 420/34 of the Indian Penal Code.

Petitioner who happens to be Panchayat
Secretary of Gram Panchayat Bijubigha of Block
Kashichak is said to have not submitted the folder and
record regarding the appointment of panchayat teacher
and due to aforesaid reason the enquiry regarding the
documents could not be made.

Learned counsel for the petitioner submitted that
no such occurrence as alleged ever took place. The
petitioner is quite innocent and has been falsely implicated
in this case. The petitioner has taken the charge from one
Ravindra Kumar but the said Ravindra Kumar has not
handed over the said folder and records of the



appointment of the teachers to him at the time of making over charge and, consequently, he could not submit the same. There is no fault on the part of the petitioner in the said act. There is no allegation of any sorts of misappropriation or criminal breach of trust against the petitioner. No offence under Section 420 IPC is made out against the petitioner. Similarly situated co-accused, namely, Jayendra Yadav @ Jayendra Prasad has already been enlarged on anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No.29292 of 2019 vide order dated 03.05.2019.

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 six weeks from today, 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 C.J.M., Nawada in connection with Sirdala P.S. Case No. 29 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Prakash Chandra Jaiswal, J)

