

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49073 of 2019

Arising Out of PS. Case No.-15 Year-2016 Thana- DUMARIYA District- Gaya

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1. KRISHNA LAL JHANGER, aged about 63 years, Male, Son of Late Ganga Lal Jhanger, Resident of Mohalla - Chandchaura Morcha Gali, P.S.- Vishnupad, District- Gaya
 2. Neeraj Kumar Sinha, aged about 63 years, Male, Son of Late Mithilesh Kumar Sinha Resident of Mohalla - Beldari Tola Nutan Nagar, P.S.- Civil Lines, District- Gaya ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Shiva Shankar Sharma, Adv.

For the Opposite Party : Mr. Ajay Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Dumariya P.S. Case No. 15 of 2016 for the offence alleged under Section 409/34 of the Indian Penal Code.

The accusation is that in spite of giving the letter and reminder several Panchayat Secretaries, including the petitioners, being the Panchayat Secretary of Kolhuwar and Nandai, did not supply the file, folder and another documents relating to appointment of Panchayat Teacher till 15.02.2016.

Learned counsel appearing for the petitioners submits that in fact the petitioners were Panchayat Secretaries of



Kolhuwar and Nandai and at the time of lodging of the first information report they got retired from the post of Panchayat Secretaries and they furnished all documents, which would appear from Annexures 2 and 2/1.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Dumariya P.S. Case No. 15 of 2016 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Sherghati, Gaya, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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