

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53323 of 2019

Arising Out of PS. Case No.-305 Year-2018 Thana- BELAGANJ District- Gaya

Surendra Prasad, age about 40 years, (male), S/o Ramkeshwar Mahto R/o village- Deogaon, P.S.- Khizarsarai, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Department of Vigilance through the Superintendent of Police (Vigilance) Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.

For the Opposite Party/s : Mr. Ajay Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Belaganj P.S. Case No. 305 of 2018 registered under sections 420, 467, 468, 471, 196, 197, 198, 199, 201 and 120B of the IPC.

The allegation against the petitioner is that the petitioner appointed Neha Rani as Panchayat Teacher, whose TET certificate was found to be forged.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of the fact that petitioner was posted as Panchayat Secretary of the concerned panchayat. Learned counsel further submits that petitioner is not the appointing authority as appointment was made



by the appointment committee headed by Mukhiya. Learned counsel further submits that appointment was approved by the DEO and the petitioner, accordingly, issued the appointment letter in the capacity of Panchayat Secretary.

After having heard learned counsel for the parties and taking into consideration the fact that the appointment of the Panchayat Teacher was made by the appointment committee headed by the Mukhiya and petitioner was Panchayat Secretary who only issued the appointment letter, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM XI, (Gaya) in connection with Belaganj P.S. Case No. 305 of 2018 subject to the conditions as mentioned under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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