

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47790 of 2019

Arising Out of PS. Case No.-110 Year-2011 Thana- PAKRIDAYAL District- East Champaran

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Ram Vinay Singh Son of Late Laxmi Kant Singh (Panchayat Secretary Gram Panchayat Raj Tharbitiya, Police Station Pakaridayal, District-East Champaran), Resident of Village-Mangalpur Patani, Police Station-Ramgarhwa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Pakaridayal P.S. Case No. 110 of 2011 (G.R. No. 1285 of 2011), registered under Section 409 of the Indian Penal Code.

The allegation against the petitioner, as per the FIR lodged by the Block Development Officer, Pakaridayal, East Champaran, the petitioner was posted as Panchayat Secretary at Panchayat Raj Tharbitiya and in the meantime he took additional charge of Panchayat Sisahani and despite several orders, the petitioner did not submit the report of distribution of Kerosene coupon for audit. It has further been alleged that the petitioner was put under suspension and his headquarter was



fixed in the office of Block Development Officer, Dhaka, further allegation is that he did not hand over the charge to another Panchayat office due to which a disturbance was created in both the panchayat office.

Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence as alleged in the First Information Report. He further submits that the audit was conducted for the year 2011-2012, which would be evident from Annexure -2, annexed with this application. He further submits that the petitioner retired in the year 2017 and further submits that this present case was lodged in 2001, but the petitioner had no knowledge about this case and he got the knowledge when the police party raided his house, accordingly, the petitioner took steps for filing anticipatory bail application.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner has got the audit done as per the Annexure 2 and further the petitioner has already been retired from service in the year 2017, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four



weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V at Motihari District-East Champaran in connection with Dumra P.S. Case No. 119 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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