

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51196 of 2019**

Arising Out of PS. Case No.-31 Year-2016 Thana- ISUAPUR District- Saran

Mithilesh Sharma @ Mithilesh Kumar Sharma S/o Rajharan Sharma R/o village- Nandan Kaituka, P.S.- Maker, District- Saran, At present posted as Panchayat Secretary, Gram Panchayat Raj-Nipaniya Block, Isuapur, District- Saran

... .. Petitioner

Versus

The State Of Bihar Through Vigilance Investigation Bureau, Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Anjani Kumar (L.O. Inc. Vigilance,Bihar,Patna)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Special Case No.14 of 2016 arising out of Isuapur P.S. Case No. 31 of 2016 for the offence punishable under Sections 420, 120B and 201 of the Indian Penal Code and Section 13(2) of the Prevention of the Corruption Act, 1988.

The petitioner, at the relevant point of time, was posted as Panchayat Secretary of Nipania Panchayat in the district of Saran. Allegedly, he did not hand over the charge after he was relieved from the said post on his transfer. Subsequently,



in course of enquiry, his involvement was detected into the fraudulent appointments against the post of Panchayat Teachers.

Learned counsel appearing on behalf of the petitioner has submitted that there is no chance of petitioner's fleeing away from the course of investigation since he is a public servant and he is ready to present himself before the police or the Court as and when required for the purpose of investigation, enquiry or trial.

Considering the above submission, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Vigilance), North Bihar, Muzaffarpur, in Special Case No.14 of 2016 arising out of Isuapur P.S. Case No. 31 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to



appear before the Court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Pawan/-

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