

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75956 of 2019

Arising Out of PS. Case No.-223 Year-2018 Thana- RAJAOLI District- Nawada

Binod Kumar, Son of Late Chandrika Prasad, Resident of Village-Tilbdro,
P.S-Akbarpur, District-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. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Rajauli P.S. Case No.223 of 2018 registered for the offences punishable under Section 409 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a government employee and has falsely been implicated in this case. Learned counsel submits that he has no concern with the appointment of teachers and at the time of selection he was posted in some other panchayat.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case



wherein it is the submission of the petitioner that he was the panchayat secretary of the gram panchayat Jagiyamarpa Sabaiyatar, but had not received the charge of papers concerning the appointment of teachers from the earlier panchayat secretary and that the petitioner had no concern with the appointment of teachers and he was posted in some other panchayat at the time of selection process in gram panchayat Jagiyamarpa Sabaiyatar, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No.223 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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