

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11716 of 2020

Arising Out of PS. Case No.-188 Year-2016 Thana- SIRDALA District- Nawada

1. Shailendra Kumar S/o Late Bhgwat Prasad Yadav Resident of Village- Jhiktora, P.S. Muffasil, Distt- Nawada.
2. Ambika Prasad Verma S/o Late Bharat Prasad Resident of Village- Dhamuchak, P.S.- Rajauli, Distt- Nawada
3. Maheshwar Paswan S/o Jichhu Paswan Resident of Village- Dudhrula, P.S.- Pakribrawan, Distt- Nawada.
4. Dilip Prasad S/o Late Jagdish Ram Resident of Village- Akbarpur Bazar, P.S.- Akbarpur, Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 22-12-2020 Heard learned counsel for the petitioners and
learned APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sirdala P.S. Case No.188 of 2016, registered under sections 409, 420 and 201 of the Indian Penal Code.

As per allegation in the F.I.R., the petitioners who are the Panchayat Sachiv did not deposit the folder, application receipt, register, merit list, counseling register, select list etc. inspite of the same being demanded by the Vigilance



Investigation Bureau. The same related to employment of teachers in various Panchayat.

It is submitted by learned counsel for the petitioners that they took charge of their respective Gram Panchayat on different dates. It has been submitted by the petitioner no.1 that he took charge on 30.6.2016 but has not been given charge with respect to the records of Panchayat teacher appointment. With respect to the petitioner no.2 it is submitted that he has already submitted the demanded papers with written reports. So far as petitioner no.3 is concerned, he took charge on 8.11.2015 and has given a report to the higher authorities with respect to the demanded documents. So far as petitioner no.4 is concerned, it is submitted that he took charge on 30.6.2016 and has submitted the required documents with the higher authorities. It is further submitted that the petitioners case stand on a similar footing to that of co-accused Om Prakash Nirala who has been enlarged on bail vide order dated 9.12.2020 passed in Cr.Misc. No.13451 of 2020. The petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and



in the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Sirdala P.S. Case No.188 of 2016, they will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Nawada, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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