

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10541 of 2020

Arising Out of PS. Case No.-180 Year-2018 Thana- AKBARPUR District- Nawada

SHYAM SUNDAR SINGH S/o Late Mishri Singh R/o village- Pacheya, P.S.-
Nardiganj, 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. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application, for grant of anticipatory bail, arises
out of Akbarpur Police Station Case No. 180 of 2018, disclosing
offences under Sections 409/34 of the Indian Penal Code.

The allegation against the petitioner, who was the
Panchayat Secretary of Paijuna Gram Panchayat, is that he did
not submit the folders relating to appointment of contractual
teachers to the Block Development Officer.

Learned Counsel for the petitioner submit that the
petitioner has not committed any offence in the manner alleged
inasmuch as the petitioner retired on 15.07.2016 and had handed
over the entire charge to one Muneshwar Prasad and the present



First Information Report has been lodged on 20.07.2018. He, referring to Annexure 3, submits that similarly situated co-accused persons have been granted anticipatory bail by this Court, by order, dated 25.09.2019, passed in Criminal Misc. No. 60320 of 2019.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has handed over the charge in the year 2016 after his retirement and the present First Information Report has been lodged in the year 2018 and further similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Nawada, in connection with Akbarpur Police Station Case No. 180 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and also subject to the following further conditions:-



(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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