

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16925 of 2020

Arising Out of PS. Case No.-20 Year-2019 Thana- MANIHARI District- Katihar

1. MAHADEO SINGH Son of Late Fudan Mandal Resident of Village- Musapur, P.S.- Korha, District- Katihar (Bihar).
2. Yadunandan Ray Son of Mahendra Nath Ray Resident of Village- Kursela, Bobra, P.S.- Kadwa, District- Katihar.
3. Ramnath Paswan Son of Late Chunni Lal Paswan Resident of Village- Gidoul, P.S.- Prampur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Mr. Ashok Kumar, the learned A.P.P. appearing for the State.

The petitioners apprehend their arrest in connection with Manihari P.S. Case No. 20 of 2019 for the offence punishable under Sections 420, 409, 174 and 175 of the Indian Penal Code.

The allegation is regarding the petitioners having complicity in the teachers' appointment scam and are alleged to have deliberately not submitted the requisite merit list and folder of



employed teachers, despite various orders issued by the District Magistrates, District Education Officers and District Programme Officer of the District of Katihar. It is alleged that the petitioners had deliberately withheld the requisite documents and not supplied the same to the higher officials with a view to protect the illegal appointees and in order to derive illegal benefits.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and are having a clean antecedent. It is further submitted by referring to Annexure-3 to the present petition that the requisite information has now been submitted by the petitioners. It is also submitted that the petitioners are ready to join investigation as also the ensuing trial, if any.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioners and taking into account the fact that the petitioners are stated to have submitted the requisite documents before the higher officials, apart from the fact that the petitioners are having clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from today, the



petitioners, above-named, are directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, in connection with Manihari P.S. Case No. 20 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

It is needless to state that the petitioners shall appear before the learned court below on each and every date so fixed by the learned court below and in the event of their non-appearance on two consecutive occasions before the learned court below, the aforesaid privilege of anticipatory bail being extended to the petitioners herein, shall stand cancelled automatically and the petitioners will be liable to be arrested forthwith and put behind bars.

(Mohit Kumar Shah, J)

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