

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17524 of 2020**

Bal Govind Das son of Chandra Das, R/o village- Kasimbad, P.O. _
Mirjanhat, P.s.- Habibpur, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 24-07-2020 Heard learned counsel for the petitioner and Mr. Ajay Mishra, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Kotwali (Adampur) P.S. Case No. 85 of 2016 registered for the offences punishable under Section 409/420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he had failed to provide the records/folder of the merit list of the appointment made in the primary schools in respect of which the matter was being investigated by the Vigilance Investigation Bureau. It is his submission that the petitioner who was the Panchayat Sachiv in the year 2003-2006 was not posted in Sanhaula Panchayat under Jagdishpur Block and in the year 2012 he was posted in



Jagdishpur Block and not in the Sanhaula Panchayat, therefore he was unable to supply the documents which were being asked for. It is further submitted that similarly situated accused have been granted privilege of anticipatory bail by this Court, copies of which have been enclosed as Annexure '2' series.

Mr. Ajay Mishra, learned APP for the State has accepted at the Bar that in similar matters this Court has granted privilege of anticipatory bail to the accused persons.

In the given facts and circumstances of the case where the petitioner has claimed that he was not posted in the concerned Panchayat during the relevant time and was not in possession of any folder and further that similarly situated accused have been granted privilege of anticipatory bail in several cases, let the petitioner above named in the event of his arrest or surrender within a period of six weeks from today in connection with Kotwali (Adampur) P.S. Case No. 85 of 2016 be released on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, subject to the conditions 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.

The application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

