

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26770 of 2020

Arising Out of PS. Case No.-14 Year-2019 Thana- PARAIYA District- Gaya

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RAM LAKHAN PASWAN Son of Late Barho Paswan Resident of Village -
Dhamna Gopalpur, P.S. - Barachatti, District – Gaya. Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Uday Chandra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-11-2020 Heard learned Counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor for the

State.

The petitioner is apprehending his arrest in connection
with Paraiya P.S. Case No. 14 of 2019 registered for the
offence under Sections 409/34 of the Indian Penal Code.

Allegation against the petitioner is that being
Panchayat Secretary of Karhatta Gram Panchayat he has not
supplied the folder files with regard to appointment of
Prakhand/Panchyat Teachers in the block.

Learned counsel appearing on behalf of the petitioner
would submit that the petitioner has no criminal antecedent.
The petitioner had joined Paraiya Block in 2011 and remained
there upto August, 2012. The folder pertains to appointment of
Block/Panchayat Teacher such as merit list application
register, advice register, application forms etc. for the years
2003, 2005, 2006, 2008 and 2010 i.e. prior to the joining of the
petitioner in Paraiya Block. He further submits that the



petitioner has already retired from service. Referring to Annexure-3 he submits that the concerned authorities have issued direction to the predecessor of this petitioner to hand over charge of the documents to the petitioner but the predecessor of the petitioner, namely, Parsuram Prasad has not handed over charge of the documents or records pertaining to appointment of Block/Panchayat Teachers.

Considering the fact that the petitioner has no criminal antecedent and the documents relate to appointment prior to his joining in the block in question as also the fact that the petitioner has already superannuated, the Court is inclined to grant bail to the petitioner. Let the petitioner, above named, in the event of arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of the ACJM-III, Gaya in connection with Paraiya P.S. Case No. 14 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Anil Kumar Upadhyay, J)

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