

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63871 of 2019**

Arising Out of PS. Case No.-171 Year-2019 Thana- BASOPATTI District- Madhubani

Shamashe Alam, Son of Late Masud Alam Resident of Village - Darah, P.S.-
Bheja, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar- Advocate

For the Opposite Party/s : Mr. Ajay Mishra- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

9 10-09-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner along with others was made accused in connection with Basopatti P. S. Case No.171 of 2019 registered for the offences punishable under Sections 467, 468, 471, 472, 420, 409, 406, 120(B) of the I.P.C.

The accusation against the petitioner is that being Panchayat Secretary, he signed and issued cheque in favour of one Shambhu Thakur and some others towards their salary, but the said Shambhu Thakur as well as some others were never appointed as Teacher.

The petitioner, being apprehended by institution of the aforesaid case, approached the Court and a Coordinate Bench of this Court vide order dated 25.10.2019 granted provisional bail to petitioner and called for case diary of above stated case.



Learned counsel for the petitioner submits that no doubt, the wife of Shambhu Thakur was Headmaster of the concerned school, but as a matter of fact, the aforesaid Shambhu Thakur and some others were appointed as Teacher and they did their work, but due to village politics, they were denied their payment and thereafter, some of the co-accused approached District Teacher Appellate Tribunal, Madhubani and the Tribunal directed the authorities to make payment to those co-accused persons who approached the Tribunal and taking note of the aforesaid fact, the payment was made to Shambhu Thakur and some others.

Although, learned Additional Public Prosecutor opposed the prayer, but considering the aforesaid facts and circumstances of the case as well as submissions of the parties, the provisional bail granted to petitioner vide order dated 25.10.2019 is, hereby, confirmed and, accordingly, this petition stands disposed of.

(Hemant Kumar Srivastava, J)

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