

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80055 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- FATEHPUR District- Gaya

SHIVJATAN PRASAD Son of Manu Yadav Resident of Village- Sahwanpur,
also known as Shahwajpur, P.S.- Chandauti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lilawati Singh

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Fatehpur P.S. Case No. 71 of 2019 for the offence
registered under Sections 409, 201/34 of the Indian Penal Code.

The allegation is regarding the petitioner, who
happens to be the Panchayat Secretary, having not deposited the
folder pertaining to the appointment of the Panchayat teachers.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case and it
is the categorical submission of the petitioner that though earlier
he had not deposited the said folder, however, subsequently he
had deposited the folder belatedly. It is further submitted that
the petitioner is having a clean antecedent.

Per contra, Shri Mishra, learned A.P.P. for the State



has submitted that keeping the folder itself amounts to an offence although he does not dispute the factum of the folder being deposited belatedly by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner as also taking into account the fact that the petitioner has deposited the concerned folder though belatedly and he is having a clean antecedent, I deem it fit and proper to grant anticipatory bail to the petitioner herein.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Gaya in connection with Fatehpur P.S. Case No. 71 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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