

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31791 of 2020**

Arising Out of PS. Case No.-60 Year-2019 Thana- ATRI District- Gaya

=====

Ram Pravesh Yadav @ Ram Pravesh Prasad Singh @ Ram Pravesh Prasad,  
aged about 55 years (Male) Son of Karu Yadav, resident of village - Nighai,  
Police Station- Konch, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar,

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar, Advocate  
For the State : Mr. Humayou Ahmad Khan, APP

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 22-02-2021**

Heard Mr. Shailesh Kumar, learned counsel for the petitioner and Mr. Humayou Ahmad Khan, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Atri PS Case No. 60 of 2019 dated 15.02.2019, instituted under Section 409 of the Indian Penal Code.

3. The allegation against the petitioner and many other co-accused is that they, at the relevant time, between the year 2003-2006, were holding the post of *Panchayat Sachiv* but had not submitted the roster file folder containing application form,



receiving register, merit list and selection list relating to employment of teachers.

4. Learned counsel for the petitioner submitted that the said dispute has been raised after 12 years from the date of occurrence and further that though the petitioner had submitted all the files at the relevant point of time, no receipt was given to him. Learned counsel submitted that the petitioner is a Government servant having no criminal antecedent. It was further submitted that similarly situated co-accused Ambika Prasad Singh @ Ambika Prasad Sinha has been granted anticipatory bail by a co-ordinate Bench on 02.03.2020 in Cr. Misc. No. 10082 of 2020 and co-accused Kishori Chaudhari @ Kishori Chaudhary has also been granted anticipatory bail by the co-ordinate Bench on 02.07.2020 in Cr. Misc. No. 15000 of 2020.

5. Learned APP submitted that there is specific allegation of not submitting any document relating to the employment of the relevant period and this clearly shows that there was irregularity and when the petitioner himself admits that no receiving was given to him while submitting the documents, it is obvious that he does not dispute the fact that nothing is available with him to show that he has submitted the said documents.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

|          |  |
|----------|--|
| AFR/NAFR |  |
| U        |  |
| T        |  |

