

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49963 of 2022

Arising Out of PS. Case No.-46 Year-2021 Thana- AGRER District- Rohtas

KAMAKHYA NARAYAN SINGH SON OF JIRAWAR SINGH R/O
VILLAGE- BARAON, P.S.- NOKHA, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Agrer P.S. Case No. 46 of 2021 for the offence registered under Sections 420, 467, 468, 471 and 120(B)/34 of the Indian Penal Code.

As per the prosecution story, irregularities were found in the counseling process of ‘Panchayat Shikshak Niyojan’ in the village -Akashi and following inquiry, the same was found to be true and accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that there is a committee to select the candidates where all the credentials submitted are sent for verification and in the said backdrop, the implication of ‘Panchayat Secretary’ defies logic. It is his



further submission that the '*Mukhiya*', namely, Sunita Devi @ Sujita Devi has since been granted the relief by a co-ordinate Bench of this Court in Cr. Misc. No. 40736 of 2022 vide order dated 08.12.2022. The last submission is that he do not have criminal antecedent.

Learned APP for the State opposes the prayer for bail and submits that all over Bihar, irregularities were found and the petitioner being part of the said process cannot exonerate himself from the responsibility.

Taking into account the fact that there is a committee to select the candidates and as per the submission put forward, the same were sent for verification and only thereafter selections were made, the '*Mukhiya*' has been granted the relief and he do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class Rohtas at Sasaram in connection with Agrer P.S. Case No. 46 of 2021, subject to condition as laid down



under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha-

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