

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74509 of 2024

Arising Out of PS. Case No.-57 Year-2017 Thana- KARPI District- Jehanabad

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Nawal Kishor Pathak Son of Dudheshwar Pathak Resident of Village - Barsima P.O. - Salempur P.S. - Alipur, District - Gaya ant then Panchayat Secretary of Rampur Chauram and Presently he has been retired from the post of Panchayat Secretary

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Police Inspector - Cum- Enquiry Officer, Vigolance Investigation Bureau, Bihar, Patna Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Singh, Advocate.
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehend his arrest in connection with Karpi P.S. Case No.57 of 2017 instituted under Sections 409, 419, 420, 467, 468, 471, 472/34 of the Indian Penal Code.

3. As per the prosecution case, on the basis of forged documents, appointment of Panchayat Teacher in Primary Vidyalaya has been made.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to misunderstanding and for the same occurrence Karpi (Sahar Telpa) P.S. Case No.144 of 2016 was registered in which



the petitioner has been granted anticipatory bail by the Coordinate Bench of this Court *vide* order dated 23.02.2017 passed in Cr. Misc. No.7814 of 2017. He further submits that petitioner was a Panchayat Secretary of concerned village and during his tenure, appointment of three panchayat teachers were made after verifying their documents with original names and address as mentioned in their documents and thereafter he was transferred from there. Learned counsel submits that similarly situated co-accused of this case has already been granted anticipatory bail by this Court *vide* order dated 31.08.2024 passed in Cr. Misc. No.50242 of 2024. Learned counsel submits that the petitioner is old and infirm person who has been retired from his services in the year 2019. He further submits that petitioner has three criminal antecedents, in which, he is on bail and he undertakes to co-operate in investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount to each to the satisfaction of the learned J.M. 2nd Class, Arwal in connection with Karpi P.S. Case No.57 of 2017, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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