

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23981 of 2025**

Arising Out of PS. Case No.-293 Year-2016 Thana- DARBHANGA SADAR District-
Darbhanga

Ashok Kumar Sahni Son of Late Lalo Sahni Resident of Village - Hatra, P.S.-
Kusheshwar Asthan, District - Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shama Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 30-04-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 409
and 477(A) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. It is submitted that the District Programme Officer
(Establishment), Darbhanga vide letter no. 2199 dated
07.06.2016 directed the Panchayat Sachivs for depositing the
merit list, folder file of Niyojit Teachers appointed in between
2003 to 18.05.2015 till 16.06.2016 but the Panchayat Sachivs of
different Panchayats did not deposit the merit list etc.

5. Learned counsel appearing on behalf of the



petitioner submits that from tenor of the allegation, it would manifest that no criminal offence is made out. It is further submitted that if the District Programme Officer was aggrieved by the fact that merit list, folder file etc. were not being submitted by the concerned Panchayat Sachiv in that event he could have proceeded against them departmentally but then institution of the instant FIR was a complete misuse of the power by resorting to a criminal proceeding. It is next submitted that specific pleading has been made at para 7 of the anticipatory bail application that petitioner served as Panchayat Sachiv from July, 2011 to June, 2016 and the FIR came to be instituted in the month of August, 2016 i.e. by that time the petitioner was not holding the post of Panchayat Sachiv. It is also submitted that petitioner during his tenure had handed over all the documents to the next incumbent. It is submitted that it was only in the year 2024 that the name of the petitioner transpired in the case. It is further submitted that petitioner will not abscond rather will cooperate in the investigation/trial to prove his innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned



counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with G.R. No. 2502 of 2016 arising out of Darbhanga Sadar P.S. Case No. 293 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

