



1. Harendra Kishore Pandey Son of Raghunath Pandey, resident of village - Gurhanwa Dhanhar Dihuli, Police Station - Ramgarhwa, District - East Champaran, the Principal, Hari Shankar Verma Co-Operative Inter College, ramgarhwa, East Champaran.

Versus

1. The State of Bihar

.... Opposite Party/s

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-08-2015 Heard learned counsels for the petitioner and
the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 193, 406, 408, 409, 420, 466, 467, 468, 469, 477, 500, 120B, 34 of the Indian Penal Code.

The prosecution case is that informant is donor member of Hari Shankar Verma Co-operative Inter College, Ramgarhwa, East Champaran which is governed by the Bihar Intermediate Education Council Act, 1992. The informant claimed to have donated Rs. 52,862/- to the college in between 20.02.1989 to 14.11.1990. The informant was the Joint Secretary of the College from 1988 to 2008 and thereafter



resigned but continued to be the member of the Governing Body of the college. It is further alleged that co-accused Vishwanath Prasad, the Chairman of the Governing Body illegally made Brajesh Kumar Gupta as Secretary and the petitioner as Principal of the college. As per the notification of the Bihar School Examination Board(Higher Secondary) the nomination has to be made from the donor members. It is alleged that the Chairman, Principal and Secretary of the college illegally spent Rs. 2,31,000/- of the college.

It is submitted by learned counsel for the petitioner that since the informant was forced to resign from the post of Secretary by the Governing Body of the college, hence maliciously the case has been lodged and now the Governing Body has been reconstituted.

It is submitted by learned counsel for the informant that petitioner being donor of the college is aggrieved with the misappropriation of the money.

Considering the fact that accusation is based on the basic rivalry with regard to the constitution of the Governing Body of the college, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate,

Raxaul, Motihari, East Champaran in connection with
Ramgarhwa P.S. Case No. 46 of 2015, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

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(Dinesh Kumar Singh, J)