

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18919 of 2015

Arising Out of PS.Case No. -2327 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

=====

1. Ram Kumar, S/o Late Gauri Shankar Thakur, Director/Secretary, Central A.N.M. Training Institute, Pradhan Sadan, Khabra, P.S- Sadar, District- Muzaffarpur

2. Rajiv Kumar, S/o Sri Baidyanath Prasad Gupta, Clerk, (Bara Babu), Central A.N.M. Training Institute, Pradhan Sadan, Khabra, P.S.- Sadar, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

2. Sudhir Singh, S/o Late Kedar Singh, R/o village- Dhanaur, P.S.- Katra, District- Muzaffarpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Manoj Kumar Manoj, Advocate

For the State : Mr. Manish Kumar No.2(APP)

Opposite Party No.2 : Mr. Sunil Kumar Pandey, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 29-10-2015 Heard learned counsel for the petitioners and the learned counsel for O.P. No.2 as well as the learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.2327 of 2013, Trial No.4775 of 2015 for allegedly having committed the offences under Sections 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioners submits that a vague and farfetched allegation has been made against these petitioners of having received ₹.2,50,000/- from each of the

candidates but after receiving the same, they were not sent up for examination and were thrown out of the institution.

Learned counsel appearing for O.P. No.2, however, submits that these informants had attended the classes and were expecting to be sent up for main examination, but the petitioners after taking undue gratification from other candidates, sent up those candidates for examination. However, their claim has been denied. It has also been submitted that the amounts submitted by O.P. No.2 has also been misappropriated.

Learned counsel appearing for the petitioners submits that the informants were, in fact, not attending the classes and were not having requisite percentage of attendance and they had also failed miserably in the internal examination and consequently, they were considered unfit for being sent up.

Considering the vague nature of allegations made against these petitioners, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of

Sri A.K. Dixit, learned Judicial Magistrate, 1st Class,
Muzaffarpur, in connection with Complaint Case No.2327 of
2013, Trial No.4775 of 2015, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

PNM

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