

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44167 of 2014

Arising Out of PS.Case No. -50 Year- 2014 Thana -KAUAKOL District- NAWADA

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Ram Vinay Prasad @ Vinay Kumar Son of Late Bal Govind Singh Resident of Village-Pawai, P.S.-Deep Nagar, District-Nalanda at present residing at Village-Gonowan, P.S.-Nawadah, District-Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Satyendra Pd.(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

7 13-10-2015 Heard learned counsel for the petitioner and learned A.P.P. appearing on behalf of the State as also learned counsel for the informant.

The petitioner is apprehending his arrest in connection with Kowakole P.S. Case No.50 of 2014 registered for the offences punishable under Sections 467, 468, 420, 409, 504 and 120B/34 of the Indian Penal Code.

The petitioner, who was the Co-ordinator of Warsi College, Pandey Gangot, was functioning as such during the period 2010-2012. It is submitted on behalf of the petitioner that the present petitioner was a witness to another complaint case which was filed on 22.4.2014 by one Balram Prasad Singh, who was one of the teacher/lecturer in the College. It is further



submitted that this complaint case came to be registered as Kawakole P.S. Case No.52 of 2014 and in the said case, the petitioner was one of the witnesses. It is also submitted that a false allegation has been made against this petitioner of defalcation of money of Rs. 1.5 crore though admittedly the same is not based on any record, rather it is based on speculation and verbal statements of some other mischievous elements in the College. It appears that there is animosity between both the parties, resulting in filing a case and counter case.

Learned counsel for the petitioner further submits that in the case filed by this petitioner, the informant of the present case has been extended the privilege of anticipatory bail, though the same is based on the record, whereas the present case has been initiated only on the basis of speculation and suspicion that such a huge amount has been defalcated by the petitioner along with his son.

Learned counsel for the State submits that in the case diary it has come on record that the allegations are purely on the basis of speculation and, as such, there is no further cogent material and the records have also been asked for so that a clear cut case can be made out, if at all it is true.

Considering the aforementioned facts and the case

and counter case and that the petitioner has got no criminal antecedent, let the petitioner, above named, in the event of his arrest/surrender in 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 bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawadah in connection with Rupau (Kowakole) P.S. Case No.50 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

V.P.Sinha/-

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