

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46036 of 2014

Arising Out of PS.Case No. -3625 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI (HAJIPUR)

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1. Prof. Awadh Kishore Singh, 55 years, Son of Mundrika Singh resident of village- Hakimpur, P.S.- Mahua, District- Vaishali
 2. Prof. Mahesh Bhagat, 56 years, Son of Panna Lal Bhagat resident of village- Panapur Laugai, P.S.- Sadar Hajipur, District- Vaishali
 3. Vinod Kumar, 40 years, Son of Mahendra Singh resident of village- Majia, P.S.- Goraul, District- Vaishali
 4. Krishna Kumar Singh, 70 years, Son of Late Sakaldeep Singh resident of village- Prem Raj, P.S.- Goraul, District- Vaishali
 5. Sunil Kumar Suman, 40 years, Son of Shivchandra Singh resident of village- Madurapur, P.S.- Goraul, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s	:	Mr. S.N.P. Sinha, Sr. Advocate, Mr. J.N. Sinha & Mr. Rohit Kumar, Advocate.
For the Opposite Party-State:		Mr. Shyam Bihari Singh, A.P.P.
For the Complainant:		Mr. Arun Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 30-06-2015 Heard both sides. No preliminary objection is raised about the maintainability of the anticipatory bail petition.

The petitioners, five in number, apprehend their arrest in a case under Sections 406, 420 and other sections of the Indian Penal Code.

The complainant alleged that the petitioner no. 1, being the In-charge Principal of the College, mismanaged the affairs of the College and he was suspended from the service but the petitioners, in collusion with others, opened a new account and deposited Rs. 16 lakhs and odd in the said account. The petitioners claim to have distributed the aforesaid amount among the teachers

and staff of the college. Learned counsel for the petitioners submits that there is a dispute with regard to the management of the college. From perusal of Annexure-5, it would appear that Madan Prasad Sinha was appointed as the Convener of the Special Investigating Team, who after investigation submitted a report and no amount was found to be misappropriated or defalcated.

Learned counsel for the complainant has submitted that the petitioners deposited Rs. 16 lakhs and odd and, without the order of the Management Committee, misappropriated the entire amount.

Having considered the facts that, of course, there is a dispute with regard to the management of the college and the petitioner is still the Principal In-charge and it is submitted that the amount was deposited in the account and the same was distributed among the staff and teachers of the college, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Noor Sultana, Judicial Magistrate, 1st Class, Vaishali at Hajipur in Complaint Case No. 3625/2013, subject to

the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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