

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3560 of 2016

Arising Out of PS.Case No. -108 Year- 2015 Thana -SONBERSA District- SITAMARHI

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Bikau Mahto Son of Late Munni Lal Mahto, Resident of Village - Fatehpur
tola Laxmipur, Police Station - Sonbarsa, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr.Adv.
Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 26-02-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of
Sonbarsa P.S.Case No. 108/2015, disclosing offences under
sections 420, 467, 468, 471, 474 of the Indian penal Code.

The petitioner is said to be the Chairman of the Governing
Body of M.K.College, Sitamarhi, which is a privately managed
College. The informant at some point of time was Principal of the
College.

It has been alleged against the petitioner that he defalcated
substantial amount of the College fund for his personal gain.

Learned Senior counsel, appearing on behalf of the



petitioner, submits that prior to institution of the present case, F.I.R. bearing Sonbarsa P.S.Case No. 107/2015 was registered against the informant by a co-accused in the present case, namely, Ram Shresth Raut, who is the present Principal of the College. He contends that the case in hand has been instituted against the petitioner and others by the informant to save his own skin. He further submits that since accusations are based mainly on documentary evidence, there would be no chance of the petitioner tampering with the evidence or influencing the witnesses. It has been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

Considering the submissions as above, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Sonbarsa P.S.Case No. 108/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and

when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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