

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37987 of 2016

Arising Out of PS.Case No. -3242 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

Ashok Kumar Son of Bhagwat Prasad resident of Village- Mission Road,
South Bhattha, P.S.- K.Hat, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anita Kumari Wife of Sanjay Pawan, Resident of Village- Laliyahi, O.T. Para, (R.P.F. Field), P.S.- Sahayak, District- Katihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal
For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 03-10-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner being the Block Education Officer, Manihari in the district of Katihar is apprehending his arrest in connection with Katihar Complaint Case No. 3242 of 2015 for the offences registered under Sections 323, 504, 354 of the Indian Penal Code.

Learned counsel for the petitioner submit that the present allegations made against him are false and motivated and have been filed with a motive of *wrecking vengeance* on the petitioner, who has been complaining against the act of indiscipline and corruption being practiced by the complainant in her school of which she was the officiating Head Mistress. It



is further submitted that right from the month of January, 2015, the petitioner as Block Education Officer, had been asking her to complete the incomplete school building and had also directed her to submit an explanation as to why the school was closed prior to the closure hour. She had also been asked to explain as to why the mid-day meals of the school are not being prepared under her supervision. It is further submitted that prior to the filing of the present complaint petition, the complainant had also filed an application before the District Magistrate and on the basis of the said complaint a proceeding was drawn up against the petitioner under the guidelines of the Vishakha Case. However, on due enquiry the action to be taken against the petitioner was kept in abeyance. It is only thereafter, that the complainant has filed the present complaint case supplementing the earlier charges made by her before the District Magistrate.

Considering the nature of allegation made and that the petitioner is a government servant and is not likely to abscond or tamper with evidence and has been regularly attending the office and that he has no criminal antecedents, let the petitioner, above named, in the event of his 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 A.C.J.M., Katihar in connection with Complaint Case No. 3242 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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