

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5056 of 2016

Arising Out of PS.Case No. -106 Year- 2015 Thana -SONBERSA District- SITAMARHI

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1. Ramesh Choudhary son of Bindeshwar Choudhary Resident of village - Jaganpatti, Police Station - Bathnaha, District - Sitamarhi.
 2. Ram Pravesh Bhagat @ Ram Pravesh Bhakt son of Late Ram Baran Bhagat Resident of Village - Surgahiya, Police Station - Bathnaha, District - Sitamarhi.
 3. Ram Shreshtha Raut son of Late Jhapsi Raut Resident of village - Sonbarsa, Police Station - Sonbarsa, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

2 28-03-2016 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Sonbarsa P.S. Case No.106 of 2015 for the offences punishable under Sections 120(B), 420, 406, 409, 467, 468 and 471 of Indian Penal Code.

Mr. Anil Kumar learned counsel for the petitioners with reference to the F.I.R. impugned at Annexure-1 submits that initially a complaint was filed and which has been transferred under Section 156(3) of the Code of Criminal Procedure to give rise to the F.I.R. He submits that the informant happens to be the Ex- Principal of the College and it is after a suspension order was

passed that an F.I.R. has been instituted. Learned counsel further with reference to the F.I.R. instituted by the petitioner No.1 placed at Annexure-4 submits that a vigilance case was instituted against this informant much before 25.3.2015 and it is thereafter that the present case has been instituted on concocted allegations. He submits that the charge of defalcation of fee of 622 persons is without any details. It is further submitted that whereas the petitioner No.1 is the Accountant, the petitioner No.2 is the Head Clerk, the petitioner No.3 presently holding the post of Incharge Principal.

Having heard learned counsel for the parties and considering the arguments so advanced, let the petitioners namely, (1) Ramesh Choudhary, (2) Ram Pravesh Bhagat @ Ram Pravesh Bhakt and (3) Ram Shreshtha Raut in the event of their arrest/surrender within four weeks from today, be released on bail upon furnishing individual bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Sonbarsa P.S. Case No. 106 of 2015 subject to the conditions stipulated under Section 438(2) of the Code of Criminal Procedure.

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(Jyoti Saran, J)