

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No 32252 of 2017**

Arising Out of PS.Case No. -58 Year- 2016 Thana -SABOUR District- BHAGALPUR

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Rakesh Pandey @ Rakesh Kumar Pandey, S/o Virbhadra Pandey, R/o Vill-Prashastadih, P.S.- Sabour, Dist- Bhagalpur (wrongly mentioned as R/o Purab Tola, Ward No.17, P.S.- Kahalgaon, Dist- Bhagalpur in the FIR) presently posted as Incharge Head Master, Middle School, Prashastadih, P.S.- Sabour, Dist- Bhagalpur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr Vaidehi Raman Prasad Singh, Advocate  
For the S t a t e : Mr Rana Randhir Singh, APP

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

2      **13-07-2017**                      Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner apprehends arrest in a case registered under Sections 409, 419, 420 of Indian Penal Code.

The instant case has been lodged by the Block Education Officer based on a letter dated 06.02.2016 bearing No 329 issued by the District Programme Officer, Bhagalpur alleging that certain works of construction of rooms have not been completed. The same DPO, vide letter dated 01.04.2016, which is Annexure 2 to this petition, has granted time till April, 2016 for completing the said works. It is submitted by the counsel for the



petitioner that subsequently, within the time limit prescribed, the construction works, in relation to which the first information report has been lodged, have been completed. He also relies upon Annexure 5 to the petition, which is letter dated 24.04.2017 once again issued by the same DPO addressed to the Officer-in-charge, Sabour Police Station wherein he has communicated the fact of completion of the works in relation to which the FIR has been lodged and requested that a final form be submitted in the case.

Considering the aforesaid submissions, prayer for anticipatory bail is allowed. In the event of his arrest or surrender within four weeks from today, the petitioner above named shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate X, Bhagalpur in Sabour Police Station Case No 58 of 2016 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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