

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56281 of 2017

Arising Out of PS.Case No. -1291 Year- 2016 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Bindeshwari Prasad Yadav, S/o Late Anand Prasad Yadav, Secretary ,
Trustee Committee, Shiv Durga Mohar Inter College, Bishanpur,
Saharsa and R/o Village- Bishanpur, P.S.- Bihra, District- Saharasa.
 2. Lalan Kumar Lokesh S/o Janaden Prasad Yadav, Incharge-Principal ,
Shiv Durga Mohar Inter College, Bishanpur, Saharsa and R/o Village-
Bishanpur, P.S.- Bihra, District- Saharsa.

.... Petitioners

Versus

1. The State of Bihar.
2. Subhash Chandra Sharma S/o Late Kameshwar Sharma, R/o Village-
Bhelwa, P.S.+ District- Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ramchandra Prasad Bharti, Advocate
Mr. Rajesh Kumar, Advocate
Mr. Rajendra Prasad, Advocate

For the Opposite Party/s : Smt. Meena Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-12-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Compliant Case No. 1291 (C) of 2016, registered under Sections 406
and 409 of the Indian Penal Code.

The accusation is that informant Subhash Chandra
Sharma was appointed as Sanskrit teacher in Shiv Durga Mohar Inter
Maha Vidyalaya, Bishanpur, Saharsa in the year 1994, but salary was
not being paid on the pretext that on receiving the grant in aid by th
State Government, salary will be paid for year 2009 grant in aid was



received in year 2012, but the petitioners being the Secretary and In-Charge Principal of college only paid 50% salary and retained 50% in the name of development of school. On protest, informant and Liladhar Sharma were given threatening to remove and Liladhar Sharma was removed from the post of Principal and petitioner No.2 was made Incharge Principal. Liladhar Sharma mad complaint to Education Executive Officer, Saharsa and also Bank with request to withheld the money, but both the petitioners succeeded to withdraw the amount. It is further alleged that petitioners have also withdraw the money of dress allowance of Priti Kumar, daughter of Ramchandra Sharma.

Learned counsel for the petitioner submits that complainant was teacher of Sanskrit in the college, but he was removed due to committing negligance in teaching the students, due to that reasons, the complainant has lodged the present Compliant case. Further submission is that Rs. 1000/- was received by the students of Class-XII, including the Priti Kumari, daughter of Ramchandra Sharma, which would appear from the list of the school regarding distribution of the dress allowance (Annexure-3 to the petition).

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of the A.C.J.M-IV, Saharsa in connection with Compliant Case No. 1291 (C) of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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