

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.292 of 2017

Arising Out of PS.Case No. -365 Year- 2016 Thana -RAJAUN District- BANKA

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Yogendra Prasad Das, son of Late Sundar Das, resident of village-
Maheshpur, Municipal Corporation- Aliganj, P.S.- Mojahidpur in the
district of Bhagalpur, presently posted as Incharge Headmaster, Uper
Middle School, Sanjha, P.S. Rajaun in the district of Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Rajaun P.S. Case No. 365 of 2016 for the offences instituted
under Sections 409 and 420 of the Indian Penal Code.

The allegation against the petitioner is that on the basis
of enquiry report contained in letter no. 727 dated 01.10.2016, a
Committee was constituted and it was found that the petitioner
being In-charge Headmaster of the school was indulged in
irregularity in payment of Scholarship and dress to the students of
the school.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner has falsely been implicated in the present case. He has been made accused due to mistake of fact. There is no substantive evidence to suggest his implication in the present case. It is further submitted that the petitioner is ready to deposit an amount of Rs. 25,000/- in the court below, which shall be subject to the final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 25,000/- in the court below, which shall be subject to final disposal of the case and on doing so, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Rajaun P.S. Case No. 365 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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