

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19519 of 2016

Arising Out of PS.Case No. -220 Year- 2012 Thana -MADHUBANI TOWN District-
MADHUBANI

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Tekdhar Kumar Karn @ Heera Lal S/o late Bindeshwar Lal R/V Ram Pati ,
PS Raj Nagar, Distt Madhubani at present Director of Maa Bhagwati
(A.N.M. Training School, Kotwali, chowk, Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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

ORAL ORDER

13 30-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Madhubani (Town) P.S. Case No. 220 of 2012, registered under
Sections 419, 420, 406, 120B of the Indian Penal Code.

The accusation is that the informant Pratima Kumari
along with Kanchan Kumari, Mira Kumari and Rita Kumari got
their registration for first year A.N.M. training in Session 2011-12
on payment of Rs. 35,000/- to Heera Lal, Director of Maa
Bhagwati A.N.M. Training School and receipt were also issued in
that regard. After completing one year training they also paid Rs.
1,00,000/- each and filled up the examination form. Smt. Munmun



Mishra, Registrar of Bihar Nursing Registration Council, Patna also told about depositing their examination forms. On 19.04.2012 when they reached at training centre, then admit cards were not issued to them. On enquiry, they come to know that petitioner Heera Lal, Director of Maa Bhagwati A.N.M. Training School, Kotwali Chowk, Madhubani under conspiracy with Smt. Munmun Mishra, Registrar, Bihar Nursing Registration Council on taking Rs. 2,00,000/- to each other students and removed their examination forms.

Learned counsel appearing on behalf of the petitioner submits that no such document has been produced by the informant and other candidates, who has made allegation for removing their examination forms replacing to the examination forms of other candidates taking Rs. 1,00,000/- to each candidates. He further submits that it appears from Annexure 1 series that the informant and others have deposited each deposited Rs. 35,000/- and put their signatures, but the original receipt which is in the office of the Training Centre, no space is available at the bottom to put the signature, as such the receipts Annexure 11 series is fake. Learned counsel for the petitioner further submits that at the instance of the enemies of the petitioner, the informant and others have lodged the present case on false allegation.



Learned counsel appearing to the State submits that the present application for pre-arrest bail of the petitioner has been filed in the light of observation made by the Apex Court in petition for Special Leave to Appeal (Cri.) CRLD No.(s) 20631 of 2015. The Hon'ble Apex Court has dismissed the aforesaid S.L.P. of the petitioner on 07.12.2015 giving liberty to file an application under Section 438 or 439 of the Cr. P.C. On the submission of the learned counsel for the petitioner that the petition under Section 482 of the Cr.P.C. is pending before this Court while Cr.W.J.C. No. 1144 of 2015 was already dismissed on 08.09.2015 before passing order of the Apex Court. Further submission is that this is the third attempt before this court seeking the pre-arrest bail by the petitioner, the petitioner also filed the Criminal Writ Petition No. 1144 of 2014 for quashing the FIR of the present case i.e. Madhubani (Town) P.S. Case No. 220 of 2012, but the same was dismissed on 08.09.2015

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner, above named is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court



in accordance with law without being prejudiced by the order of
this Court.

(Rajendra Kumar Mishra, J)

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