

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52007 of 2017

Arising Out of PS.Case No. -180 Year- 2013 Thana -MURLIGANJ District- MADHEPURA

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Basudeo Prasad Yadav, Son of Late Khushi Yadav, Resident of Village-Pratap Nagar, West Tola, Police Station-Murliganj, District-Madhepura, Secretary, Raj Nandan High School Pratap Nagar, Police Station-Murliganj, District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate.

For the Opposite Party/s : Mr. Chaubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Murliganj**

P.S. Case No. 180 of 2013 instituted for the offence under Sections 419, 420, 467, 468, 471, 472, 409 and 120B of the Indian Penal Code.

It has been submitted that petitioner is Secretary in R.N. High School, Murliganj. He has no role in taking admission of the students and distribution of the amount. The admission of students is done by Headmaster and other teachers of the school.

In the written report there is allegation that during inspection of the school leaving certificates of R.N. High School, Murliganj, 123 school leaving certificates have been found forged



and on the basis of forged school leaving certificates, students have been admitted in the High Schools, details of which, has been mentioned in the First Information Report. It is further alleged that on the basis of forged school leaving certificates, the amount of clothes, cycles and scholarship has been misappropriated and the Headmasters/Head Clerks of the different High Schools have been found involved in defalcation of the aforesaid amount.

In this manner, there is specific allegation against Headmaster and Head Clerk of the aforesaid school.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Murliganj P.S. Case No. 180 of 2013**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Madhepura**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the



court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

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(Sanjay Priya, J)

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