

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55568 of 2016

Arising Out of PS.Case No. -195 Year- 2016 Thana -NOKHA District- SASARAM (ROHTAS)

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1. Yogendra Sah, S/o Rambachan Sah, R/o Village- Basgitiya, P.S.-
Bikramganj, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Amin Singh, S/o Late Hiranman Singh, R/o Village- Majhampur, PS.-
Jagdishpur, District- Bhojpur, At present Block- Education Officer, Block
& PS.- Nokha, District- Rohtas at Sasaram.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy
For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as the opposite party.

2. The petitioner is apprehending his arrest in
connection with Nokha P.S. Case No. 195 of 2016 registered for
the offence punishable under Sections 409 of the Indian Penal
Code.

3. According to the prosecution case, the petitioner has
not provided folder files and other documents as per the order of
the Principal Secretary, Education Department, D.M., Rohtas and
District Programme Officer, Establishment, Rohtas.

4. Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in the present case.



There is no allegation of tampering with the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. Whatever the papers which were handed over to the petitioner by his predecessor have already been deposited before the Block Education Officer. Moreover, co-accused, namely, Manoj Kumar Singh, having more or less similar allegation, has been granted anticipatory bail by this Court in Cr. Misc. No.54852 of 2016.

5. Considering the facts and circumstances of the case and nature of allegation made against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of A.C.J.M., Rohtas at Sasaram, in connection with Nokha P.S. Case No. 195 of 2016/G.R. No. 1909 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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