

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51707 of 2017

Arising Out of PS.Case No. -205 Year- 2016 Thana -CHARPOKHARI District- BHOJPUR

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1. Suresh Prasad, S/o Late Jagarnath Ram, R/o Village- Bheriya, P.O.-
Khiriaon, P.S.- Kachwan, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Charpokhari**
P.S. Case No.205 of 2016 instituted for the offence under
Section(s) 406, 420, 409, 467, 468, 471/34 Indian Penal Code.

Counsel for the petitioner has submitted that
petitioner is District Education Officer. He has filed criminal case
against the Informant, who is Head Master of Primary School,
Amroza, on 01.09.2016, for defalcating funds of the school
allotted for different purposes as mentioned in the written report
(Annexure-4) and in retaliation instant case has been filed against
the petitioner on false and frivolous grounds.

The Informant/Complainant has alleged in the
Complaint Petition, which was sent to the P.S. under Section



156(3)Cr. P. C., that this petitioner and other accused persons forced the Complainant to make payment to Maitrey Consultancy Services Pvt. Ltd. From the Complaint Petition itself, it appears that entire money was paid to the Contractor by the Informant herself and vague and omnibus allegation has been leveled against this petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Charpokhari P.S. Case No.205 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, 2nd, Bhojpur, Ara**, 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.

JA/-

(Sanjay Priya, J)

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