

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55305 of 2017

Arising Out of PS.Case No. -13 Year- 2013 Thana -HARLAKHI District- MADHUBANI

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Navin Kumar Thakur, Son of Late Bhubneshwar Thakur, resident of Village: Kushaiya, P.S. Waris Nagar, District- Samastipur. At present, Block Education Officer, Singhwara, P.S.: Kansi- Simari District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Singh, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 25-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Harlakhi P.S.**

Case No. 13 of 2013 corresponding to G.R. Case No. 469 of 2013 instituted for the offence under Sections 409, 420 and 421 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner was the informant of the case levelling allegation against Headmaster Shiv Shankar Paswan regarding embezzlement of fund of Basic School, Sukhvasi,

The informant during police investigation forwarded attested copy of vouchers produced by the named accused Shiv Shankar Paswan with observation that perusal of the document



produced by the co-accused Shiv Shankar Paswan goes to show that allegation of embezzlement is not made out against him. The aforesaid letter is enclosed as Annexure-P/2. The police during investigation, on the basis of aforesaid letter sent by the petitioner, has named this petitioner also as one of the accused.

It has been submitted that main accused Shiv Shankar Paswan has already been granted anticipatory bail by the court below vide order dated 18.10.2016 passed in ABP No. 1007 of 2016.

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 **Harlakhi P.S. Case No. 13 of 2013, corresponding to GR Case No. 469 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 Sub Divisional Judicial Magistrate, Benipatti, Madhubani**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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.

(Sanjay Priya, J)

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