

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24874 of 2018

Arising Out of PS.Case No. -897 Year- 2017 Thana -BIHTA District- PATNA

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1. Argha Nand Sharma, Son of Late Sarva Nand Sharma, Resident of Village-Samasthusthan, Bihta, P.S. Bihta, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 31-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bihta P.S.Case no.897 of 2017 dated 4.11.2017 , registered for offences punishable under Sections 420 and 409 of the Indian Penal Code.

Allegation against the petitioner is of charging more fee from the students and also not issuing the Admit-card.

Submission of the learned counsel for the petitioner is that three cases have been filed against him for examination of Part I, II and III and for the similar allegation in Part-II, the present case has been filed and there is no case that he has defalcated money rather he has received more money and a Co-ordinate Bench of this Court in another case relating to Part-I considering the aforesaid aspect of the matter has granted privilege of anticipatory bail, vide order dated 20.7.2018 passed in Cr.Misc. No.43038 of



2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additonal Sesiosn Judge-II-cum-Special Jduge, Excise, Rohtas at Sasaram in connection with Bihta P.s.Case No.897 of 2017 dated 4.11.2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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