

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23969 of 2018

Arising Out of PS.Case No. -534 Year- 2017 Thana -KOTWALI District- PATNA

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Makardhwaj Kumar Ram, Son of Dashasumer Ram, Resident of Village-
Rawani, Police Station- Rajpur, District- Buxar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-05-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with
Kotwali P.S. Case No. 534 of 2017 registered for the offences
punishable under Sections 417, 418, 419, 420, 465, 466, 467 and
468/120B of the Indian Penal Code.

Allegation against the accused persons, including the
petitioner is that they have submitted forms of regular students as
ex-students and in spite of noticing the same they have not
informed the Board for correcting the same, causing
inconvenience to several students.

Submission of learned counsel for the petitioner is that in
this case there is allegation of defalcation of amount and according
to FIR at best it is a case of irregularity and not illegality and other
staff of the Board have been granted privilege of anticipatory bail
by different Benches of this Court vide order dated 19.1.2018
passed in Cr.Misc.No.1443 of 2018 and vide order dated 7.2.2018



in Cr.Misc.No. 5396 of 2018.

Heard learned APP and learned counsel for the Bihar School Examination Board, who have opposed the prayer for anticipatory bail.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, surrender within a period of four weeks from the receipt of this order and on his so surrendering he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case No. 534 of 2017, subject to the conditions under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned and petitioner shall co-operate in investigation and appear before the police as and when required, otherwise his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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