

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42090 of 2018

Arising Out of PS. Case No.-632 Year-2017 Thana- NATHNAGAR District- Bhagalpur

1. Kamdeo Yadav son of Sukhdeo Yadav, Resident of Mohalla-Koshkinath Jha Lane, Champanagar, P.S. Nathnagar, District- Bhagalpur.
2. Kare Lal Yadav son of Ramrup Yadav, Resident of Village-Mirzapur, P.S.- Madhusudanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Sri Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-07-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Nathnagar P.S. Case No. 632 of 2017 dated 26.10.2017 instituted for the offences under Sections 467, 468, 471, 406, 409 and 420/34 of the Indian Penal Code.

The petitioner no. 1 is the Head Clerk whereas petitioner no. 2 is an Orderly in Mouji Lal Jha Inter College, Champanagar, Bhagalpur. The aforesaid petitioners are alleged to have defalcated some amounts while working in the college.

Learned counsel for the petitioners has submitted that the defalcation was done by the



informant, himself, and for the aforesaid act of his, he was removed from the college service; which decision has been ratified by the managing committee of the college. The principal of the said college also has lodged a case against him vide Nathnagar P.S. Case No. 149 of 2016 (Annexure-3). The informant therefore, as a retaliatory measure, charged the petitioners and others including the principal of the said college who had lodged the said case against him earlier.

Regard being had to the aforesaid facts, the petitioner above named are directed to be released on bail, in the event of their 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, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Bhagalpur in connection with Nathnagar P.S. Case No. 632 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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