

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44846 of 2018

Arising Out of PS.Case No. -76 Year- 2018 Thana -RAFIGANJ District- AURANGABAD

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1. Dr. Satyanarayan Singh @ Satyanarayan Singh, S/o late Chhedi Singh, R/o Vill.- Kharwa, P.S.- Rafiganj, District- Aurangabad (Bihar).
 2. Anil Kumar Singh @ Anil Kumar S/o Braj Raj Singh, R/o vill.- Kharokhar, P.S.- Rafiganj, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Rafiganj P.S. Case No. 76/2018, instituted for the offences punishable under Sections 420, 406, 467, 468, 471 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the complainant has no locus to file complaint case. He is not a staff of the University. He has just lodged the case on conjecture and surmises. Petitioner no. 1 is Principal of D.V.K. Singh College, Rafiganj and Petitioner no. 2 is lecturer of Physics in the said College. The petitioners are authorized by Governing body to



withdraw any amount from College's account and the alleged withdrawal is not of any grant given by the Government rather it is college fund which was generated by the internal source of college like fee, development charge, donation etc. and same has been distributed among the staff and there is no any misappropriation by anyone.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Rafiganj P.S. Case No. 76/2018, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J.)

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