

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60641 of 2018

Arising Out of PS.Case No. -94 Year- 2018 Thana -ARWAL District- JEHANABAD

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1. Radheshyam Singh @ Radhey Shyam Singh, S/o Sri Vishwanath Singh, resident of Village- Bela Bigaha, P.S. Arwal, Dist.- Arwal At present working as Incharge- Principal, Fatehpur Sanda College, Fatehpur Sanda, Dist.- Arwal.

2. Ram Vinay Sharma, S/o Late Nawaj Sharma, resident of Village- Rampur Chauram, P.S.- Rampur Chauram, Dist.- Arwal at present working as Bursher Cum Lecturer in the Department of Geography, Fatehpur Sanda College, Fatehpur Sanda, Dist.- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Arwal P. S. Case No. 94 of 2018 registered for the offences punishable under Sections 406, 409, 420, 467, 468 and 120B/34 of the Indian Penal Code.

Petitioner no. 1 happens to be In-charge Principal whereas petitioner no. 2 happens to be Bursher cum Lecturer of Fatehpur Sanda College, Fatehpur Sanda, District – Arwal and the allegation against the petitioners is that they misappropriated the caution money of the students.



Learned counsel for the petitioners drew my attention towards Annexure 4 to the petition and submits that Magadh University, Bodhgaya got enquired the aforesaid allegation through a validly constituted Committee and the Committee found that the amount of caution money has not been misappropriated or defalcated rather with the decision of Governing Body, the amount of caution money was used in making payment to employees of the College as well as some part of the said money was used for construction of building of the College.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in Arwal P. S. Case No. 94 of 2018 subject to conditions as laid down under Section 438(2) of the Cr. P. C.

(Hemant Kumar Srivastava, J)

SHAHZAD/- Rajeev

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