

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3663 of 2019

Arising Out of PS. Case No.-265 Year-2017 Thana- LAURIA District- West Champaran

Anand Kumar Rao, son of Surendra Rao Village – Laharpatiya, P.S.-Lauriya,
Distt- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-01-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Lauriya P.S. Case No. 265 of 2017 for the offence under Sections 406, 409, 420, 467, 468 and 471/34 of the Indian Penal Code.

The petitioner is admittedly a Night Guard working in the Rajikiyakrit Champa Kunwar Uccha Madhyamik (+2) Vidyalaya, Lauriya. There is allegation of misappropriation of public money by the Principal and other office bearers of the school.

Learned counsel for the petitioner submits that the Principal has been granted anticipatory bail by this Court by an order dated 19.06.2018 passed in Cr. Misc. No. 13895 of 2018. It has been argued that the petitioner, being a Night Guard in the



school, cannot be said to be involved in misappropriation of the school fund.

I find force in the submission so advance. This application is accordingly allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Bettiah, West Champaran, in Lauriya P.S. Case No. 265 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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