

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4521 of 2019

Arising Out of PS. Case No.-333 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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1. Narmadeshwar Prasad @ Nermadeshwar Pd. Singh, Son of Late Baidyanath Singh, Resident of Bhagwatiya, P.S.-Kesariya
 2. Birendra Kumar Singh, Son of Baijnath Singh Resident of Village- Chiknaur, P.O. and P.S.-Semra presently Mohalla- Shantipuri, P.S.- Motihari Town, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Nath Verma
For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 420, 468, 469, 471 and 472/34 of the IPC.

The prosecution case, as per the written report of Rakesh Kumar Singh, dated 04.06.2018, submitted to the Station House Officer, Motihari Town Police Station, is to the effect that the informant, being the Principal of Anugrah Narayan Singh College, Motihari alleged that petitioner no.1, Narmadeshwar Prasad Singh, who is not the Principal of the college in question, but he, on behalf of the Principal, gave an advertisement in the daily newspaper, Hindustan on 14.05.2018 with regard to



examination of Class-XI. He also informed the banker of the college, namely, Allahabad Bank for non-operation of the bank account by the informant. It is also alleged that on 20.03.2018, C.L.C., mark-sheet, transfer report and other educational documents of the students were robbed by the miscreants at the instance of the petitioners.

It is submitted by learned counsel for the petitioners that the accusation has been made in the background of dispute with regard to Principal ship of the college in question. In fact, the informant is the one who is imposter. It is further submitted that the petitioner no.1 was appointed as Principal by the Government Body of the college constituted by the Bihar Secondary Examination Board, removing the informant and the said decision was unsuccessfully challenged by the informant before this Court in C.W.J.C. No. 12636 of 2015 and thereafter, he challenged the said order in L.P.A. No. 670 of 2016, which is still pending and hence, in order to create disturbance for petitioner no.1 to function as Principal peacefully the present case has been lodged. Petitioner no.2 is the employee of the college in question, but since he has been cooperating the petitioner no.1 in discharging of the duty, hence he has also been roped in the present case. A statement has been



made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that accusation against the petitioners are specific.

Considering the fact that for the dispute with regard to Principal ship of the college in question, L.P.A. is pending and in that background, the present case has been lodged, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, East Champaran at Motihari in connection with Motihari Town P.S. Case No. 333 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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