

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26650 of 2019

Arising Out of PS. Case No.-135 Year-2018 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Arjun Prasad Singh Son of Baijnath Singh Resident of Village-Sultanpur, P.S-Mohiuddin Nagar, District-Samastipur.
 2. Vinay Kumar Singh Son of Chandeshwar Prasad Singh Resident of Village-Sultanpur, P.S-Mohiuddin Nagar, District-Samastipur.
 3. Chandra Bhushan Kumar Singh @ Chandra Bhushan Singh Son of Late Mahendra Singh Resident of Village-Sultanpur, P.S-Mohiuddin Nagar, District-Samastipur.
 4. Jai Prakash Singh Son of Ram Pujan Singh Resident of Village-Sultanpur, P.S-Mohiuddin Nagar, District-Samastipur.
 5. Subhash Chandra Singh Son of Late Rajjan Singh Resident of Village-Sultanpur, P.S-Mohiuddin Nagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-08-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mohiuddin Nagar P.S. Case No. 135 of 2018, registered for the offence under Sections 323, 341, 382, 420, 504 and 506/34 of the Indian Penal Code.

The allegation against the petitioners, as per the first information report, that the informant claiming himself as the Provisional Principal in Dr. J.M.T.S.A.N.S. Inter College,



Sultanpur, stated that petitioners along with others surrounded the clerk, namely, Ram Kumar Singh on the gunpoint snatched the government money amount of Rs.54,000/- which was deposited for the admission of the students. It has also been alleged that the petitioners have printed false receipt and Rs. 3,00,000/- have been misappropriated by them.

Learned counsel for the petitioners submits that petitioner no. 5 is the Principal of the College and the petitioner no. 1 is lecturer in English and petitioner no. 3 is lecturer in Geography and they have falsely been implicated in the present case by the informant, who as per the government notification was to retire on 20.08.2018 after attaining age of 60 years. Learned counsel further submits that the present FIR has been lodged on 01.09.2018 i.e. after attaining age of 60 years by the informant with/motive inasmuch as there was a dispute with regard to the post of Principal and ultimately by the Government order dated 12.02.2019, the petitioner was asked to handover charge in favour of the petitioner no.5.

Learned counsel for the informant vehemently opposed the prayer for bail and submits that all these petitioners along with others committed irregularity in the college and forcibly snatched sum of Rs.54,000/- from the clerk of the



college . Learned counsel further submits that one co-accused Manoj Kumar Singh has undertaken to return the money, which was snatched, before the court below and this indicates that money was actually snatched by the accused persons.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner no.5 is the bona fide principal of the college, petitioner nos. 1 and 3 are lecturers and further another accused person has committed to refund the amount of 54,000/- which was allegedly snatched by the petitioner and others, accordingly, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 135 of 2018; subject to condition as laid down hereinabove and under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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