

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68948 of 2018

Arising Out of PS. Case No.-883 Year-2018 Thana- SAHARSA District-
Saharsa

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Shailendra Prasad Yadav @ Shailendra Kumar Yadav S/o Late Ganeshwar
Prasad Yadav, Resident of Mohalla-Station Road, Ward No. 23, P.S.
Saharsha, P.O.-Saharsha, District-Saharsha.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjiv Kumar, Advocate.
For the informant : Mr. Satish Kumar Singh, Advocate.
For the State : Mr. Rana Randhir Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 59F0/12/18 of Prevention of Children
from Sexual Offences Act, 2012 registered in connection with
Saharsa Sadar P.S. Case No. 883 of 2018.

3. It is submitted that the petitioner has been falsely
implicated in a malicious prosecution at the hands of the
informant. As a matter of fact, the so-called victim's father had
been demanding *rangdari* as the petitioner was conducting mid-
day meal programme in the school as its Headmaster and it is
owing to non-fulfillment of the demand that the present F.I.R. has
been instituted. An inquiry was duly conducted by the Block
Education Officer and has exonerated the petitioner in his letter
dated 04.08.2018 to the District Education Officer, Saharsa. The
Teachers Association also conducted an inquiry and did not find
the petitioner to have committed the alleged acts rather it found



the case to be one of *rangdari*. The petitioner is at the verge of retirement and claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Ist Additional Sessions Judge cum Special Judge, Saharsa in connection with Saharsa Sadar P.S. Case No. 883 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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