

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42530 of 2019

Arising Out of PS. Case No.-720 Year-2018 Thana- SASARAM NAGAR District- Rohtas

1. DEEBESH KUMAR CHAUDHARY @ DIVESH CHAUDHARY @ DINESH CHAUDHARY Son of Late Suresh Bihari Chaudhary Resident of At-Flat No.102, Nagina Apartment, Sharma Path, Bailey Road, Near Sai Corporate Park, Rukanpura, Police Station-Shastri Nagar, District-Patna, the then District Programme Officer (Establishment), Rohtas as Sasaram.
2. Satya Narayan Singh Son of Late Nathuni Prasad Singh Resident of Village-Sirsia, P.S-Kargahar, District-Rohtas at present posted as Clerk in the Office of District Programme Officer (Establishment), Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 420, 409, 467, 468, 471, 323, 120(B) IPC registered in connection with Sasaram (Muffasil) P.S. Case No. 720 of 2018.

3. It is submitted that the petitioners have been falsely implicated and they have acted only in discharge of their official duties as the District Planning Officer (Establishment) and Clerk in the office of the petitioner no. 1, respectively. It is stated that a headmaster Sri Jang Bahadur Singh had approached this Court in CWJC No. 166 of 2005 (Jang Bahadur Singh vs. The State of Bihar and ors.) and analogous cases which was disposed of on 28.01.2007 granting liberty to the writ petitioners to file appropriate representation before the concerned authorities. Thereafter, pursuant to judgment dated 09.03.2015 in MJC No. 1851 of 2013 (Jang Bahadur Singh vs. The State of Bihar and ors.) the Bihar Sanskrit Shiksha Board, Patna considered and disposed of



the representation of Sri Jang Bahadur Singh pursuant to which the petitioners took steps for payment of the dues of Sri Jang Bahadur Singh as such no offence much less as alleged is made out against the petitioners, who claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Rohtas at Sasaram, in connection with Sasaram (Muffasil) P.S. Case No. 720 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 petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves 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 petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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