

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3999 of 2019

Arising Out of PS. Case No.-34 Year-2015 Thana- JALALPUR District- Saran

Mrigendra Kumar Sharma, Son of Late Jitendra Narayan Sharma, the then Principal-cum-Secretary, Shankar Dayal Singh Inter College, Jalalpur, Saran, Permanent resident of Mohalla - Sadhanapuri, Near Jyoti cinema Hall, Police Station- Chapra Towan, District- Saran at Chapra, presently residing at Block-27, Phase-2, Vastu Vihar, Baikunth Nagar, Gurudwara Road, Mango, P.S.-Mango, District- Jamshedpur (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 120B and 477A of the Indian Penal Code.

Submission is that the petitioner was Principal of the referred college where the complainant was a teacher. The complainant was removed from the service in year 2011 itself. Thereafter, the complaint petition was filed with allegation that the petitioner was wrongly appointed and has committed embezzlement of fund of the college.

Submission is that the College Administration has not filed any complaint against the petitioner, though the petitioner



has already retired.

Considering the background of allegation the chances of malicious prosecution can not be ruled out for the purpose of consideration of this prayer for anticipatory bail, hence, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Jalalpur Police Station Case No. 34 of 2015 arising out of Complaint Case No. 616 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Rajan

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