

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63474 of 2019

Arising Out of PS. Case No.-79 Year-2017 Thana- SATHI District- West Champaran

RAMESH PRASAD S/o Late Jamuna Prasad R/o Mohalla- Chanpatiya Chota Chowk, Back Side of Durga Mandir, P.S.- Chanpatiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Kishun Prasad

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-10-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 409, 420/34 of the Indian Penal Code registered in connection with Sathi P.S. Case No. 79 of 2017.

3. It is submitted that the petitioner has been falsely implicated on the accusation of misuse of funds in connection with filling up of examination form, admission etc. It is submitted that the petitioner was the Professor-incharge of the Raj Kumar Shukla College, Satwariya Chanpatiya, District West Champaran. Pursuant to direction of the District Magistrate a joint enquiry committee was set up to look into the financial irregularities alleged against the petitioner and the Principal Bashisth Kunwar, which has since submitted its report did not find any misappropriation rather it was a case of *inter se* dispute of one upmanship between the Principal and the petitioner. The petitioner is accused in five prior cases out of which the petitioner was not sent up for trial in one while he was on bail in remaining four cases.

4. Be that as it may, 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 CJM, Bettiah, West Champaran, in connection with Sathi P.S. Case No. 79 of 2017, 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. That the petitioner shall co-operate 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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