

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.830 of 2020

Arising Out of PS. Case No.-423 Year-2019 Thana- PARBATTa District- Khagaria

SADAY KUMAR Son of Late Sachchidanand Das Resident of Village -
Parbatta, P.S.- Parbatta, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 353 of the Indian Penal Code.

Prosecution case, in brief, is that the Block Development Officer, Parbatta submitted a written report addressed to the Officer-in-Charge, Parbatta vide letter no. 1738 dated 18.10.2019 with regard to institution of the FIR against the petitioner. It is alleged that strict action has been directed to be taken against Co-ordinator of Kaushal Vikash Kendra, Parbatta for distorting the academic atmosphere of the aforesaid centre and also for violating the orders of superior officers.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence much less the alleged offence and petitioner has falsely been implicated in this case due to political rivalry at the instance of local M.L.A. The petitioner is duly appointed on 02.05.2017 as Centre Co-ordinator/learning facilitator by the N.G.O., Aryavart Seva Ashram District-Khagaria which is duly registered under Society Registration Act. There is no specific allegation against the petitioner.

Learned counsel for the petitioner further submits that the contention is well supported from representation of the petitioner dated 18.10.2019 which was duly received in the office of S.D.O., Gogari stating all the facts enclosed at Annexure-3 of the bail petition. Till date no allegation of any kind either from the students or from the employees has ever been reported against the petitioner but allegation of misconduct by the S.D.O., Gogari appears to be made by local politician rather the allegation of misconduct is defamatory allegation. The petitioner has got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory



bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Khagaria, in connection with Parbatta P.S. Case No. 423 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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