

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2852 of 2020

Arising Out of PS. Case No.-272 Year-2019 Thana- BIHIA District- Bhojpur

Nand Kishore Singh, Son of Late Ramayan Prasad Singh, Resident of Village-Chakai, P.S.-Dhangai, District-Bhojpur (Ara), Presently Posted as Assistant, District Education Office, Bhojpur Ara, District-Bhojpur (Ara).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 457, 380, 406, 420, 427 and 506/34 of the Indian Penal Code.

The prosecution case as per the Ashok Kumar Singh submitted to the Station House Officer of Bihiya Police Station is to the effect that on 17.07.2019 at 10.30 A.M. when the informant reached into the premises of B.D. College, Bihiya he found that the locks of main and entrance gate were broken. It is alleged that the locks of the main gate and entrance gate were broke by the accused persons including the petitioner and they also threatened the informant. Subsequently, the informant informed about the occurrence to the administrative officials of



the college, who came and thereafter, the accused persons fled away taking the documents of the college on two Maruti cars and damaged the articles belonging to the college.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present and prior to lodging of the present case, Bihiya P.S. Case No. 126 of 2019 was lodged against the informant and others and the informant, who heads a committee illegally, which has not been approved by the University, has lodged the present case to save his skin from the case lodged by the petitioner side. It is further submitted that the petitioner is an Assistant posted in the office District Education Officer, Bhojpur at Ara and he has no concern with the college in question. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that the case lodged by the petitioner's side at earlier point of time and the college administration, particularly, the Principal has not taken any action against the informant and others, coupled with the statement made in paragraph 3 of the petition that the petitioner



is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Bihiya P.S. Case No. 272 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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