

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17116 of 2020

Arising Out of PS. Case No.-21 Year-2020 Thana- BODHGAYA District- Gaya

NAWAL KISHOR RAI @ NAWAL KISHORE RAY Son of Ghannu Rai
Resident of Village - Mastipur (B.T.M.C. Guard), P.S.- Bodh Gaya , Distt.-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-09-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Khurshid Anwar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Bodh Gaya PS case no. 21 of 2020 registered for the offences punishable under Section 379/34 of Indian Penal Code.

The allegation levelled against the petitioner is regarding him being found meddling with the donation box situated at the temple premises near Bodhi tree at Bodh Gaya which was captured in the CCTV footage.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and has been honestly discharging his duties for more than 25 years without any complaint whatsoever as against him. It is further submitted that even if the allegation is accepted, on its face value, to be true, still it would be apparent that no allegation has been levelled regarding picking out any money from the donation box.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the fact that there is no allegation of picking out any money from the donation box as also the fact that the petitioner is having a clean antecedent, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya PS case no. 21 of 2020 subject to



the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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