

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76417 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- PARASI District- Jehanabad

Ram Avtar Singh S/o Late Gariba Mahto R/o village- Kamta, P.S.- Parasi,
District- Arwal, at present Head Master Khaderan Singh High School, Ram
Lagan Bigha, P.S.- Parasi, District- Arwal

... .. Petitioner

Versus

1. The State of Bihar
2. Bindeshwar Prasad S/o Late Ramdeo Yadav R/o village- Dankabigha, P.S.-
Parasi, District- Arwal

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 19-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State via video conferencing.

The petitioner has filed the present application for
grant of pre-arrest bail in connection with Parasi P.S. Case No.
11 of 2018 registered for the offence punishable under Sections
420, 406, 409, 120B and 504 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that initially a complaint was filed by the complainant
Bindeshwar Prasad, which was referred to the police in exercise
of powers conferred under Section 156(3) of the Code of
Criminal Procedure, pursuant to which, the first information
report was registered and investigation was taken up. It is
contended that the complaint has been filed with oblique motive



without obtaining any sanction for prosecution of the petitioner, who is a public servant. A mischievous allegation of defalcation has been levelled in the complaint against the petitioner, a Principal of Khaderan Singh High School, Ram Lagan Bigha, P.S. Parasi, District-Arwal without there being any basis for that. It is further contended that the petitioner is a respectful person having roots in the society and is not likely to abscond or tamper with the evidence, if released on bail.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the facts and circumstances of the case, the nature of allegation and the submissions advanced at the bar, the petitioner is directed to be released on bail in the event of his arrest or surrender before the court below, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IVth, Arwal in connection with Parasi P.S. Case No. 11 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

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