

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65327 of 2019

Arising Out of PS. Case No.-135 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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Anil Lal Karn Son of Late Rup Narayan Lal Resident of Village- Sahar Ghat,
P.S.- Sahar Ghat, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-03-2020 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 420, 409, 467, 468
and 471/34 of the IPC.

The prosecution case, as per the written report of District
Education Officer, Madhubani submitted to the Station House
Officer, Madhubani Town Police Station, is to the effect that a
Three-Men Committee was constituted to conduct an enquiry
with regard to irregularities found in preparation of bills of the
payment of salary made to the teachers in which the petitioner
and other co-accused persons are alleged to have been found
guilty. It is further alleged that during course of enquiry, it was



found that while preparing the bills of the of salary to the teachers from April, 2018 to September, 2018, name of 21 teachers at the Block level and 18 teachers at the Panchyat level has wrongly been added by manipulation and they were also being paid the salary wrongly and thereby public money has been misappropriated.

It is submitted by learned counsel for the petitioner that the petitioner was an Assistant Teacher and he did not put his signature on any bill nor has he ever been made In-charge of the said bill, statement to that effect has been made in paragraph no.9 of the petition. Moreover, during investigation, it has transpired that the bill was prepared by the clerk, namely Randhir Kumar Gupta which was counter signed by District Programme Officer, Rajesh Kumar Sinha. It is further submitted that similarly situated co-accused Umesh Baitha has been granted privilege of anticipatory bail by a Co-ordinate bench of this Court, vide order dated 18.09.2019, passed in Cr. Misc. No. 58672 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, after going through the case diary, submits that forged bill has been prepared in connivance with the



petitioner, however, he does not controvert this submission of learned counsel for the petitioner that none of the bills have been signed by the petitioner.

Considering the thrust of accusation being against the co-accused persons, who prepared the bill and co-accused being granted anticipatory bail by a Co-ordinate bench of this Court, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 135 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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