

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4985 of 2021

Arising Out of PS. Case No.-79 Year-2017 Thana- SATHI District- West Champaran

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BASHISTHA KUWAR Son of Late Harihar Kuwar Resident of Village -
Auraiya Kuwar Tola, Ward No. 7, P.S.- Chanpatia, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr. Nitya Nand Tiwari.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-08-2021 Heard Mr. Umesh Chandra Verma, learned

Advocate for the petitioner and Mr. Nitya Nand Tiwari,

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Sathi P.S. Case No. 79 of 2017

instituted for the offences under Sections 409, 420/34 of

the Indian Penal Code.

The petitioner was the Principal of Raj Kumar

Shukla college, Satwariya and co-accused Ramesh Prasad

was the In-charge Principal of the aforesaid college. The

accusation in the First Information Report is that there was

carelessness in maintaining the records of the college and



the funds meant to be distributed amongst the students had also been embezzled.

The learned counsel for the petitioner has submitted that a very vague allegation has been levelled in F.I.R. In fact, there was a dispute between the petitioner in his capacity as Principal and Ramesh Prasad as In-Charge Principal. When Ramesh Prasad was not successful in taking over the administration of the college, he formed a parallel team and got this case registered against the petitioner. However, because of the nature of case, he himself became an accused in the case. Because of such dispute having been noticed by the local authorities for financial connotations, an inquiry was conducted by the District Magistrate. A report was submitted by the Inquiry Team but such report never disclosed any misappropriation of funds. It vindicated the stand of the petitioner that there was an *inter se* dispute between the petitioner and co-accused Ramesh Prasad.

Aforesaid Ramesh Prasad has been granted anticipatory bail by a Bench of this Court and the petitioner has since retired.



Regard being had to the afore-stated facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – VII, West Champaran at Bettiah, in connection with Sathi P.S. Case No. 79 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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