

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77147 of 2019

Arising Out of PS. Case No.-323 Year-2019 Thana- TURKAULIYA District- East
Champaran

=====

ANJANI KUMAR SINGH, Son of Sampati Kumar Singh Resident of Village
- Pipra, P.S.- Banjaria, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate
		Mr. Asif Kalim
		Mr. A. K. Verma
		Ms. Preety Kunwar
For the Opposite Party/s :		Mr.Satyendra Narayan Singh

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 16-08-2021 Heard Mr. N. K. Agrawal, learned senior

Advocate for the petitioner and Mr. Satyendra Narayan

Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Turkauliya (Banjaria) P. S.
Case No. 323 of 2019, dated 26.05.2019, instituted for
the offences under Sections 467, 468, 471, 465, 419
and 420 of the Indian Penal Code.

It has been submitted on behalf of the
petitioner that the accusation against him and another is



of having furnished a fictitious report which on enquiry was found to be forged and fabricated. Hence, the prosecution.

It has been submitted on behalf of the petitioner that he being the senior most teacher of Karpoori Thakur Inter College, Motihari, a private Inter College, which is being run by the Managing Committee, was made the Principal because the erstwhile serving Principal was removed on the charges of financial irregularities. In the meantime, the term of the Managing Committee of the said college also expired and one Tej Narayan Singh, a retired Principal of another college in Motihari was made the convener of the Managing Committee of the college and was asked to constitute the Managing Committee. A meeting was held in which the responsibility was entrusted to Saifur Hoda, one of the co-accused of this case and one Smt. Anita Kumari, a female Teacher representative in the Managing Committee of the college.



It has been submitted that the Managing Committee constituted which included the Principal cum Secretary of the college, namely, Sri Gopal Prasad also who never called the meeting of the *ad hoc* committee and, therefore, it had to be reconstituted.

It has been submitted that because of the intervention of a local Minister, this case was lodged after an enquiry report which has been prepared on half-baked facts, without looking at all the documents.

The petitioner has since retired.

It has been submitted that the petitioner was entrusted with the responsibility of being the Principal of the college but was never in the *ad hoc* Managing Committee. He only served as Principal, being the senior most teacher in the college after the removal of Sri Gopal Prasad.

It has further been submitted that had the report submitted by the Managing Committee been fictitious, the Board would have certainly taken some



action against the college and its Managing Committee.

Regard being had to the fact that the petitioner has since retired and has assured that he shall participate in the investigation to the fullest and if the investigation is completed and he is charge-sheeted, then he shall participate in the trial, this Court deems it appropriate that the petitioner be released on anticipatory bail.

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 his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Mat,, District – East Champaran, in connection with Turkauliya (Banjaria) P. S. Case No. 323 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

