

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30847 of 2023

Arising Out of PS. Case No.-09 Year-2021 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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1. Anand Kumar Singh Son Of Late Suresh Kumar Singh Resident Of Village Akhara Ghat, Sheikhpura, P.S. - Ahiyapur, District - Muzaffarpur
 2. Rampukar Singh Son Of Late Ganga Singh Resident Of Hanumant Nagar, Ward No. 15, Aam Mahuwa Balughat, P.S. Town, District Muzaffarpur
 3. Poonam Kumari Wife Of Ramendra Narayana Singh @ Ranendra Narayan Singh Resident Of Bhikhanpura, P.S. - Sadar, District - Muzaffarpur
 4. Prasant Kumar Son Of Mahesh Prasad Singh Resident Of Mithansarai, Kothiyapur, P.S. Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Archana, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

6 31-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The Petitioners are apprehending their arrest in a case in connection with Economic Offence Unit Patna Case No. 9 of 2021 dated 05.07.2021 registered for the offences punishable u/ss 406, 420, 467, 468, 471, 120B read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners in connivance with the other staffs of the college (Amar Shahid Khudiram Bose College, Muzaffarpur) are running private



coaching institute and no work of education is going on in the said college. The petitioners are indulged in the gross malpractices like collecting excess amount from the students under the different heads like admission, registration and for issuing certificates etc., by coercing them. The petitioners are also forcing and encouraging the students to enroll in the private coaching institute. It has been further alleged that the petitioners are making unfair and unequal distribution of the funds secured to the college for the payment of the salaries to the staffs as per their own choice. The informant has further stated that a previous complaint was filed by one Manish Kumar (Assistant in the said college) for the illegal acts of the petitioners and as such an application was also submitted to the concerned department for taking action.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the petitioner no. 1 is the Chairman of the said college, the petitioner no. 2 is a retired Principal of the said college, the petitioner no. 3 is the In-charge Principal of the said college who has already resigned in the year 2022 whereas the petitioner no. 4 is the Caretaker of the said college. Learned counsel has further submitted that no coaching is being run in



the said college after 2018. Learned counsel has further submitted that the petitioners have not misappropriated the government money and Sections 406 and 420 are not made out against the petitioners. Learned counsel has further submitted that Manish Kumar Singh was a close friend of the informant and he was placed under suspension because of his indulgence in the illegal activity. The said complaint was filed by Manish Kumar Singh with an ulterior motive as he was placed under suspension. It is further submitted that court vide an order dated 30.05.2022 passed in Cr. Revision No. 4/ 2021 set aside the cognizance of the Complaint Case No. C1-3166/2019. It is further submitted that the petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Muzaffarpur



in connection with Economic Offence Unit, Patna Case No. 09
of 2021, subject to conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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