

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55030 of 2023

Arising Out of PS. Case No.-646 Year-2022 Thana- BARAUNI District- Begusarai

Ajendra Prasad Yadav, S/o Late Bhola Yadav, R/o Village- Baryahi, Simariya
Ghat, P.S- Begusarai, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate.

For the Opposite Party/s : Mr.Ram Anurag Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-08-2023 Heard Mr. Amar Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Ram Anurag
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Barauni P.S. Case No. 646 of 2022 registered for the
offence punishable under Sections 409, 467, 468, 471, 323, 342,
427, 506 and 120B of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the
petitioner along with co-accused named in the F.I.R. appointed
one Amit Kumar @ Guddu Kumar on the basis of forged
certificate issued in the name of co-accused Manish Kumar.
Specific allegation against the petitioner is that he had
threatened and assaulted the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has



committed no offence as alleged in the F.I.R. Petitioner is a retired teacher. Petitioner is neither the headmaster of the school nor he is the appointing authority. School is run by the Managing Committee. For any illegal appointment of co-accused Amit Kumar, the Managing Committee of the School can be held liable along with co-accused Amit Kumar and Manish Kumar who are own brothers. So far as the allegation against the petitioner that he had threatened the informant of dire consequences is also not sustainable. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions of the parties, perused the allegation made in the F.I.R., it appears that the main allegation is against co-accused Amit Kumar who has been appointed on the basis of certificate issued in the name of co-accused Manish Kumar, both the accused persons are own brothers, allegation against the petitioner is that he had cooperated in the process of obtaining appointment in the school, considering the nature of allegation made against the petitioner, I am of the opinion that petitioner has made out a case to be released on bail.



7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 646 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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