

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32186 of 2025

Arising Out of PS. Case No.-508 Year-2024 Thana- KOTWALI District- Patna

Nagendra Nath Sharma S/O Late Baban Rai R/O Mohalla- 05 Ratanpura,
P.S.- Chanpatiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Natraj Verma, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Kotwali P.S. Case No. 508 of 2024 registered for the alleged offence under Sections 464, 465, 467, 468, 469, 472, 420/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner representing himself as General Secretary of Bihar State Primary Teachers Association (BSPTA), wrote a letter to General Secretary, All India Primary Teachers Federation for conducting election for the State of Bihar. This letter was sent even when the petitioner was removed from the post of General Secretary on 03.04.2024. Further allegation against the petitioner and other co-accused persons is that they embezzled



huge amount by misleading the concerned persons.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No offence under Sections 465, 468, 467 and 420 of the IPC is made out against the petitioner. The informant was elected for the post of President, BSPTA in the year 2014 for a tenure of three years, which lapsed in the year 2017 and thereafter, the election was held in the year 2024. Therefore, the petitioner in the capacity of General Secretary wrote the letter to the General Secretary, All India Primary Teachers Federation, New Delhi, requesting for appointment of observers to supervise the conduct of the Association's election. Observers were appointed and the election was duly held and results were declared on 04.08.2024. A new committee headed by one Jai Ram Sharma came into existence. The informant is not an office bearer any more in the Association and it is the committee headed by Jai Ram Sharma which has been duly recognized by All India Primary Teachers Federation. Learned counsel further submits that the informant of the present case is aged about 94 years and is physically incapacitated. However, persons associated with him misappropriated and defalcated a huge amount of money belonging to the Association. These persons,



in order to shield themselves, and to divert attention from their financial misconduct, have lodged this false and frivolous case in the name of the informant, Brijnandan Sharma. Learned counsel further submits that Jai Ram Sharma has also instituted Title Suit no. 209 of 2024 against the Brijnandan and others on 16.05.2024. The present dispute pertains to a civil matter concerning the posts of the Association and no offence under the provisions of IPC is made out against the petitioner. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague, general and doubtful nature of allegation and also considering the lack of material showing the commission of crime and also considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Patna in connection with Kotwali P.S. Case No. 508 of 2024, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Ashish/-

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

