

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17379 of 2015**

Arising Out of PS.Case No. -92 Year- 2013 Thana -BELA District- SITAMARHI

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1. Sudhir Kumar S/o Ram Swarath Mandal R/o Village Khairwa, P.S. Bela,  
District Sitamarhi the then Head Master, Middle School, Khairwa.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR  
JHA**

**ORAL ORDER**

4 24-08-2015

Heard both sides.

The petitioner seeks bail in a case registered for  
the offences punishable under section 409 of the Indian Penal  
Code.

The petitioner being Headmaster of the school is  
alleged to have defalcated Rs.7,48,800/- meant for scholarship of  
the students.

It is submitted that the petitioner handed over the  
charge of Rs.7,48,800/- to his successor Uma Shankar Prasad but  
it appears that it was the petitioner who withdrew the amount from  
the account of the scholarship and without disbursing the same,  
the money was kept. Even after handing over the charge the  
petitioner withdrew the amount from mid day meal account of the

school. The petitioner is in jail since 11.02.2015. It is submitted that the petitioner is ready to deposit the entire amount within three months from the date of his release in the government treasury or in the Bank account of the school in question.

Considering the facts aforesaid, the petitioner above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in connection with Bela P.S. Case No. 92 of 2013, subject to the condition that if the petitioner fails to deposit the aforesaid amount in the government treasury or in the account of the school within three months from his release, the court below shall cancel the bail bonds of the petitioner.

**(Prabhat Kumar Jha, J)**

Amin/-

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