

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13926 of 2015

Arising Out of PS.Case No. -163 Year- 2014 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Shailendra Kumar Singh S/o Late Shambhu Singh
2. Arbind Kishore Singh S/o Kishore Singh
3. Nita Kumari @ Nita Devi W/o Arbind Kishore Singh All are Resident of
Village Machhargawan, Police Station Yogapatty, District West
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 420, 406, 408, 409, 175 and 167 of the
Indian Penal Code.

The prosecution story, in brief, is that the petitioners
and co-accused defalcated the government money which was
sanctioned to the Adarsh High School Machhargaan for supply of
cycle and uniform to the students and security money of the
school and they also took money from the students as fees. It has
also been alleged that during enquiry no paper or register was
produced by the petitioners and co-accused before the Enquiry

Committee.

It has been submitted on behalf of the petitioners that the petitioners have been made accused due to mistake of fact. It is further submitted that no specific allegation has been alleged against the petitioners. It is further submitted that the petitioners have got no criminal antecedent. It has been further submitted that another co accused (Harendra Kishore Mishra) has been granted bail by this Court, vide order dated 20.03.2015 passed in Cr. Misc. No. 11513 of 2015. It is also submitted that petitioner no.1 is the Secretary of the School and is ready to deposit an amount of Rs. 25,000/- (twenty five thousand) in the court below, which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, petitioner no.1 is directed to deposit an amount of Rs. 25,000/- (twenty five thousand) in the court below , which shall be subject to final disposal of the case .

The above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to

the satisfaction of learned Sub-divisional Judicial Magistrate,
Bettiah, District-West Champaran , in connection with Yogapatti
P.S.Case No. 163 of 2014 , subject to the conditions as laid down
u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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