

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33291 of 2015

Arising Out of PS.Case No. -64 Year- 2012 Thana -C.B.I CASE District- MUZAFFARPUR

1. Diwakar Pathak Son of Late Pandit Ratneshwar Pathak Ex-head Master
New India Sugar Mills High School Hashanpur Road, District - Samastipur
Parmanent Address - Resident of Village - Bhuidhara, Mohalla - Adarsh
Nagar, Police Station - Samastipur Muffasil, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. I.G. Vigilance at Patna, P.O. and Police Station - Secretariat, District -
Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate

For the Opposite Party/s : Mr. Anil Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-08-2015 Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
409, 420, 467, 468, 471, 477A, 120B of the Indian Penal
Code read with Sections 7/13(2), 13(1)(D) of the P.C. Act.

Prosecution case is that Government aid of Rs.
10,50,000/- on 20.09.2010 and further Rs. 3,20,000/- on
06.04.2011 were provided through two cheques for

distribution of Rs. 2,000/- each students under the Bicycle Scheme. It is alleged that the petitioner being the Headmaster took Rs.100/- from each students and only distributed Rs.1900/- to the each students.

It is submitted by the learned counsel for the petitioner that there is no documentary prove with regard to such accusation and some of the Bicycles were distributed in presence of the local M.L.A and the students have also denied the accusation of giving any money to the Headmaster.

Learned Senior counsel for the Vigilance submits that First Information Report was registered in 2012 and on the complaint of some of the students they were paid Rs. 1900/- instead of Rs. 2,000/- under the Bicycle scheme.

Considering the nature of accusation, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, North Bihar at Muzaffarpur in connection with Vigilance Patna P.S. Case No. 64 of 2012, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The bail bond of the petitioner shall be accepted by the learned court below on filing affidavit to the effect that he will cooperate during investigation. The said affidavit will be

transmitted to the concerned I.O. The non-cooperation in the investigation will give liberty to the learned court below to cancel the bail bond of the petitioner.

(Dinesh Kumar Singh, J)

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