

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32604 of 2015

Arising Out of PS.Case No. -15 Year- 2014 Thana -RAFIGANJ District- AURANGABAD

1. Tribhuwan Prasad Son of Late Jugal Sao, Resident of village- Rafiganj,
P.S.- Rafiganj, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Khurshid Anwar(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 14-08-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of
Rafiganj P.S. Case No. 15 of 2014, disclosing offences under
Sections 409 & 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that the only
allegation against the petitioner is that while working as
Headmaster in Sanskrit Primary School, Rafiganj he failed to
furnish utilization certificate for a sum of Rs. 17,000/- which was
withdrawn by him for the financial year 2012-2013 and a sum of
Rs. 12,000/- for financial year 2013-2014. While disputing the
allegation made in the First Information Report, learned counsel
for the petitioner, on instruction submits that the retiral benefits

had not been paid to the petitioner because of pendency of the criminal case. He submits that the petitioner shall have no objection if the recovery of the said amount is made from the amount of his pension, which he is legally entitled to

In view of the stand taken by the petitioner and in view of the nature of allegation, this application is accordingly, allowed. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in Rafiganj P.S. Case No. 15 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

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