

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26717 of 2015

Arising Out of PS.Case No. -136 Year- 2013 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

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Rajniti Kumar Jaiswal @ Rajniti Kumar Jiswal Son of Ravindra
Chaudhary resident of village - Fatehpur, P.S. Raghopur, District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. P.K.Chaurasia(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 409, 419, 420, 467 and 468 of the Indian Penal Code.

Allegation against the petitioner is that he had misappropriated Government money which was entrusted for construction of school building.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He has been made accused in the present case due to mistake of fact. In course of investigation it has come that Rs. 15 lacs and odd are there in the account of the school. The work for Rs. 4 lacs 98 thousands and odd has already been carried out and certain money has been given in advance to the contractor. Hence, there is no misappropriation of public money. It is further submitted that petitioner is ready to deposit an amount of Rs. 1,00,000/- in the court below within a period of six months from today which shall be subject to the final disposal of

the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that petitioner shall deposit Rs. 1,00,000/- in the court below within a period of six months from today which shall be subject to the final disposal of the case.

Let the above named petitioner, in the event of arrest or surrender in the court below within a period of four weeks, be released on provisional anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Raghopur P.S. Case no. 136 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The said provisional anticipatory bail shall be confirmed once the aforesaid amount is deposited in the court below within the stipulated period.

(Sudhir Singh, J)

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