

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49796 of 2015

Arising Out of PS.Case No. -94 Year- 2012 Thana -KAUAKOL District- NAWADA

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1. Damodar Prasad Son of Late Ramlagan Singh Resident of Village -
Chainpur, P.S. - Warsaliganj, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Md.Fahmuddin (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-11-2015

Heard learned counsel for the petitioner and the State.

In this case, petitioner is seeking bail in Kawakole
P.S.Case No. 94 of 2012 registered u/s 409 IPC.

Allegation has been made that petitioner
misappropriated Rs.2,00,000/- which was meant for construction
of school building.

This Court vide Cr.Misc.No.3380 of 2015 granted
anticipatory bail to the petitioner with the condition to return the
said amount but in failure petitioner has been taken in custody.

Counsel for the petitioner undertakes that the
petitioner will deposit Rs.2,00,000/- in installment of Rs.33,000/-
every month, within a period of six months from the date of his
release.

Looking to the facts and circumstances of the case, petitioner Damodar Prasad is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawada in connection with Kawakole P.S.Case No. 94 of 2015 with the condition that one of the bailors will be close relative of the petitioner.

If the petitioner will fail to deposit any installment, the bail bond of the petitioner will be deemed to have been cancelled.

The deposit of money will be subject to final outcome of trial.

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(Shivaji Pandey, J)