

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33116 of 2015

Arising Out of PS.Case No. -72 Year- 2014 Thana -MAINATAND District-
WESTCHAMPARAN(BETTIAH)

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Banke Bihari Yadav Son of Baidhyanath Yadav resident of village -
Basantpur, P.S. Mainatand, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 11-08-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 406
and 409 of the Indian Penal Code.

It is alleged against the petitioner that
petitioner being Incharge Headmaster of Govt. Primary School,
Semkhari withdrew Rs.51,000/- from school bank account and
misappropriated the same and did not handover the charge to his
successor.

It is submitted by learned counsel for the
petitioner that the petitioner has deposited Rs.36,000/-, in the

school bank account and submitted account of Rs.15,000/-, moreover, he has handed over the charge to the successor.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail provisionally for four months 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 Sub-divisional Judicial Magistrate, Bettiah, West Champaran in connection with Mainatand P.S. Case No. 72 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification of the fact that the petitioner has deposited Rs.36,000/- in the school bank account, submitted account of Rs.15,000/- and handed over charge. If the petitioner fails to satisfy the learned court below on either of the two counts then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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