

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28939 of 2015

Arising Out of PS.Case No. -199 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

Nityanand Das son of Sri Ganauri Das, Resident of village- Pasraha, P.S.-
Pasraha, District- Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalan Kumar

For the Opposite Party/s : Mr. Ajay Kumar No.2(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 24-07-2015

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 420
and 409 of the Indian Penal Code.

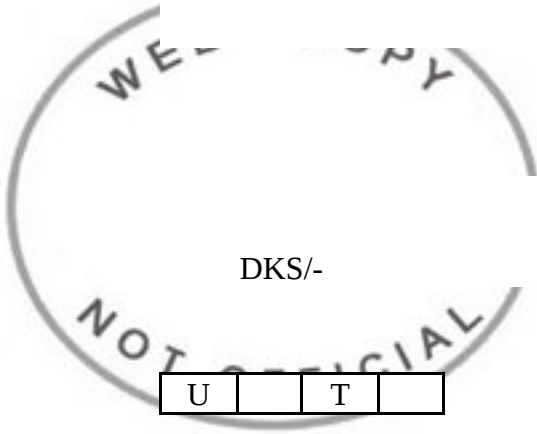
It is alleged against the petitioner that the
petitioner retired as Headmaster of the school on 09.07.2013, but
did not handover the charge to the senior most teacher, Saudagar
Manjhi who was made incharge of the school. It is also alleged
that after retirement petitioner received total grains of 3800 kgs.
under Mid-day Meal scheme and hence he misappropriated the

same.

It is submitted by learned counsel for the petitioner that earlier Kabaiya P.S. Case No. 197 of 2013 was registered under Sections 406 and 409 of the IPC levelling accusation that the petitioner during inspection it was found that the petitioner has not handed over the charge with regard to Mid-day Meal and construction of the school building. For the same the petitioner was terminated but subsequently he was reinstated and considering the entire facts the petitioner was granted anticipatory bail in the earlier case and after retirement the present case has been lodged.

Considering the fact that the petitioner has already retired, with similar charge the petitioner was granted anticipatory bail in earlier case and there is nothing on the record to suggest that after retirement the petitioner was allowed to receive grains of the Mid-day meal scheme, let the above named petitioner be released on anticipatory 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 Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Kabaiya P.S. Case

No. 199 of 2015, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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