

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38351 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -BIHRA District- SAHARSA

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1. Balram Thakur S/o late Nathuni thakur Resident of Village Bishanpur
Post Office Aran police Station Bihra, District saharsa headmaster Primary
School Laxminia Santpur, Police Station Bihra, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-09-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bihra P.S.Case No. 104/2015 registered for offences punishable
under Sections 420, 406 and 409 of the Indian Penal Code.

The prosecution case is that one Rajendra Thakur,
Block Education Officer, Sattar Kataiya submitted report on
26.05.2015 to the S.H.O., Bihra P. S. stating and alleging therein
that during the financial year 2009-10 Rs. 6,00,000/- was
advanced to the petitioner for construction of School building and
the accused without completing the work, misappropriated the
Government money. Thus on the basis of the written report
aforesaid F.I.R. vide Bihra P.S.Case No. 104 of 2015 was lodged
on 26.05.2015.

It has been submitted by the learned counsel for the petitioner that he has not mis-appropriated the government money and lay out work has been completed and he is ready to complete the work.

Be that as it may, let the petitioner, namely, Balram Thakur in the event of his arrest or surrender within a period of four weeks from today before the court below, be enlarged on 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, Saharsa in connection with Bihra P.S.Case No. 104 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

However, it is made clear that if the petitioner does not complete the work within the time frame as fixed by the Block Education Officer, Sattar Kataiya, the learned Court below will be at liberty to pass order/orders as per law without being prejudiced with this order.

(Nilu Agrawal, J)

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