

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55259 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -SAHAR District- BHOJPUR

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Chandan Kumar Son of Ram Binay Paswan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 10-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406/420 of the Indian Penal Code.

It is alleged that the petitioner being I/c Headmaster of the school was given Rs.12,80,000/- for construction of school building between 30.01.2012 to 13.10.2012 but the construction work of only Rs.2,17,767/- was done.

It is submitted by learned counsel for the petitioner that subsequently, Block Education Officer, Saran at Bhojpur intimated to the District Education Officer, Bhojpur that the petitioner withdrew Rs.8,94,000/- when as per the measurement book, the work of Rs.10,18,495/- was done while the successor of the informant informed the District Programme Officer that total

amount of Rs.12,80,000/- was received by the school and the construction work has been completed.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for four months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Ara at Bhojpur in connection with Sahar P.S. Case No.45/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification of the fact that the work in question has already been completed or if the informant admits that the work corresponding to the money given to the petitioner has already been completed. But, if it is found otherwise then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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