

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5326 of 2015

Arising Out of PS.Case No. -106 Year- 2014 Thana -DHANSOI District- BUXAR

1. Bhagwan Dayal Tiwari S/O Late Keshav Tiwari Resident of vill-
Bhadwar,P.S-Began Gola,Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Renu Kumari (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 10-02-2015

Heard both sides.

The petitioner apprehends his arrest in Dhansoi P.S. Case No. 106 of 2014, registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

According to the prosecution case, the petitioner was in-charge headmaster of primary school Gassaidihara. He received Rs. 6,50,000/- for construction of the school building, but it is alleged that the building was not completed and Rs. 3,51,277/- is still lying due against the petitioner.

Sri B.P. Pandey, the learned Sr. Advocate submits that in pursuance of the order of the Hon'ble High Court an enquiry was held and it was found that Rs. 2,81,277/- is lying due against the petitioner. It is submitted that Bagen Gola P.S. Case No. 52 of 2014 was registered against the petitioner for realization of Rs. 13,58,989/-. It is further

submitted that the entire retrial dues is yet to be paid to the petitioner and he is ready to give undertaking that from his retrial dues and 18 months salary, the entire amount be deducted and the remaining amount be paid to him.

Considering the facts aforesaid and the fact that the petitioner has undertaken that the Government may deduct the entire amount of dues from his retrial benefits, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Dhansoi P.S. Case No. 106 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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