

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9627 of 2015

Arising out of PS.Case No. -169 Year- 2013 Thana -ALAMNAGAR District- MADHEPURA

Shetendra Narayan Mishra @ Satyendra Narayan Mishra, S/o Late Yog Narayan Mishra, resident of Village Khurhan, P.O. Khurhan, P.S. Alamnagar, District Madhepura, at present posted as head master, Middle School, Khurhan, Block Alamnagar, District Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anant Kumar-1, Advocate.
For the Opposite Party : Mr. Uday Pratap Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 03-09-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Alamnagar P.S. Case No. 169 of 2013, G.R. No. 2504/2013 for the offences instituted under Sections 379, 406, 409 and 420/34 of the I.P.C.

The prosecution story, in brief, is that co-accused Swatantra Kumar, Assistant Teacher of the School, has been found carrying two bags of rice on a bicycle in the night on 12.11.2013 at 11.00 P.M. then the villagers raised alarm and saw that co-accused Swatantra Kumar was mixing dust in 20 kilogram rice and seeing the villagers co-accused Swatantra Kumar fled away



and thereafter villagers brought the said rice to the School and it has been found that the said rice is of the School. It has been further alleged that when the stock register of the School has been verified then it has been found that 10 bags of kilogram and 800 gram rice of the School is in shortage. It has been further alleged that co-accused Swatantra Kumar in collusion with the petitioner, who is the Head Master of the School, has committed theft of rice of Mid-Day-Meal of the School.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is the Headmaster of the School and he had no liability in respect to the Mid-Day-Meal for which a separate teacher was made Incharge. It has further been submitted that the petitioner is ready to deposit an amount of Rs. 8,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is one of the conspirators in the present case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of eight weeks from today in connection with Alamnagar P.S. Case No. 169/2013, G.R. No. 2504/2013 on furnishing bail bond

of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with direction that the petitioner shall deposit an amount of Rs. 8,000/- in the court below which shall be subject to final disposal of the case.

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(Sudhir Singh, J)