

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5953 of 2015

Arising Out of PS.Case No. -52 Year- 2014 Thana -BAGAIINGOLA District- BUXAR

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1. Bhagwan Dayal Tiwari S/O Late Keshav Tiwari R/O Vill-Bhadwar,P.S-
Bagen Gola,Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ganesh Pd. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 04-03-2015 Heard both sides.

The petitioner apprehends his arrest in Bagen Gola P.S.
Case No. 52 of 2014, registered for the offences punishable under
Sections 409 and 420 of the Indian Penal Code.

In sum and substance the allegation is that the petitioner
received Rs. 10,07,712/- for construction of different buildings
and boundary wall of the school, but the petitioner did not execute
any work.

Learned counsel for the petitioner submits that the
petitioner has already retired from service and his retiral benefits
is lying due and the Government has paid only some part of his
retiral benefits. It is further submitted that the petitioner is ready to
pay the entire amount i.e. Rs. 10,07,712/- in two installments.

Considering the facts aforesaid, the petitioner is directed to deposit within one month from today a sum of Rs. 5,07,712/- and if the petitioner deposited the same, the petitioner in the event of his arrest or surrender before the court below, 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 Bagen Gola P.S. Case No. 52 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and the petitioner shall deposit the remaining amount of Rs. 5,00,000/- within one month thereafter, if the petitioner fails to deposit the remaining amount his bail bond shall be cancelled.

(Prabhat Kumar Jha, J.)

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