

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9307 of 2016

Arising Out of PS.Case No. -123 Year- 2015 Thana -PARASBIGHA District- JEHANABAD

1. Alok Kumar son of Nagendra Paswan Resident of village - Jamheta Paharpur, Police Station Fatehpur, District - Gaya, Earlier Incharge Headmaster, Navasrijit Primary School, Nanhaganj, Police Station - Parasbigha, District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kr.Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2016 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Section 406, 409, 420 of the Indian Penal Code.

The prosecution case is that the petitioner being the then Headmistress of Navshrijit Primary School, Nanhaganj. The petitioner withdrew Rs. 3,50,000/- from the account of the school for construction of the building, but no work was done.

It is submitted by learned court below that the petitioner was not paid him salary from August 2011 to July, 2013 and the authorities initially agreed to adjust the withdrawn amount against the due salary.

It is submitted by the learned counsel for the petitioner that the petitioner is ready to deposit the alleged withdrawn amount through Bank Draft in favour of District Education Officer within a period of three months before the learned court below which will be released in favour of District Education Officer, Jehanabad. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Parasbigha P.S. Case No. 123 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

The provisional bail of the petitioner will be confirmed by the learned court below on deposit of above mentioned amount

(Dinesh Kumar Singh, J)

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