

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17266 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -CHIRAIYA District- EAST CHAMPARAN
(MOTIHARI)

=====

Md. Ismullah Son of Reyazat Sah R/o Village- Bahuarwa, P.S. Chiraiya,
District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

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

For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 15-07-2016

Heard both sides.

The petitioner apprehends his arrest in Chiraiya P.S.

Case No. 31 of 2016 registered under Sections 409, 420 and 34 of
the Indian Penal Code.

The petitioner received Rs. 9,99,044/- for
construction of a school building but the petitioner did not
construct the school building. It is submitted that the petitioner
went to lay out the school building but protest was made by the
co-sharer of the land and others and, therefore, the petitioner could
not construct the school building. The petitioner had
communicated to the authorities for providing escorts so that he
may start the construction work but the authorities did not pay any
heed. It is submitted that vide order dated 02.06.2016 the
petitioner was directed to return/deposit the money and give

proper account to the District Programme Officer forthwith and the petitioner was restrained from being arrested for one month enabling him to deposit/return the money.

It appears that the petitioner did not comply with the aforesaid order dated 02.06.2016. Huge amount of money to the tune of Rs. 9,99,044/- is lying with the petitioner for last about four years but neither the school building has been constructed nor the money has been returned without any plausible reason.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Chiraiya P.S. Case No. 31 of 2016. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Dilip/-

U		T	
---	--	---	--