

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31229 of 2016

Arising Out of PS.Case No. -268 Year- 2013 Thana -KOCH District- GAYA

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Surendra Paswan S/o Late Sitaram Paswan, r/o Village-Palaki Sakhi, P.S-Konch, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar

For the Opposite Party : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 11-08-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 420 of the Indian Penal Code.

The government allotted Rs. 60,000/- for
construction of kitchen-cum-store room, in a primary school and
co-accused Md. Mohiuddin Ansari, being Headmaster of the
aforesaid school gave a cheque of Rs. 40,000/- to the petitioner for
construction of the kitchen-cum-store room but neither the
construction work was done nor the amount was returned.

Submission on behalf of the petitioner is that the
aforesaid co-accused Md. Mohiuddin had taken Rs. 43,000/-as
loan from the petitioner, in the year 2008 and the said Md.

Mohiuddin issued cheque of Rs. 40,000/- to the petitioner, in lieu of aforesaid loan. It is further submitted that the petitioner was not aware of this fact that the said cheque belongs to the account of the concerned school. In continuation of his submission, the learned counsel for the petitioner drawn attention towards Annexure-2 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Konch P.S. Case No. 268 of 2013 (G.R. No.4149 of 2013).

(Hemant Kumar Srivastava, J.)

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