

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30467 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -BEERPUR District- BEGUSARAI

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Ramchandra Paswan, Son of Late Damodar Paswan, resident of village -
Sahuri, P.S. Birpur, District - Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocatte

For the Opposite Party : Mr. Smt Anuradha Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 05-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is In-charge Headmaster and has since retired apprehended his arrest in connection with Birpur P.S. Case No. 34 of 2016 registered for the offences punishable under Section 409/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present case has been lodged by the Block Education Officer, Barauni, alleging that the accused persons including the petitioner, Ramchandra Paswan, who was ex-headmaster and Smt. Madhu Devi being Secretary were responsible for defalcation of Rs. 10, 16,185/- (ten lacs sixteen thousand one hundred eighty five only) which was made available to the school for construction of building, kitchen shed and hand pump etc. of the school. It is

further submitted by learned counsel for the petitioner that after lapse of three years after his retirement the present case has been lodged and for that he was in no way responsible for the same, as Secretary of the school and her husband had been dealing with the funds and had withdrawn most of the same. He further submits that the petitioner has since superannuated, and also since it was the then Secretary, who had withdrawn the amounts from cheques, he would alone be held responsible for defalcation of the funds.

In view of the above facts and circumstances of the case, and also since the petitioner is not having any access to the records available in this school, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Amit Anand, J.M. 1st Class, Begusarai, in connection with Birpur P.S. Case No. 34 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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