

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53694 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -GAYGHAT District- MUZAFFARPUR

=====

1. Rajdeo Das S/o Late Dhannu Das Resident of village - Keshopur, P.S. Sakra, District - Muzaffarpur, Presently Posted as Assistant Teacher, Middle School, Ramnagar, Gaighat, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Anita Kumari

For the Opposite Party/s : Mr. A.K.Choudhary(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 09-02-2016 Heard Mr. Mangalam for the petitioner and the State.

The petitioner being a regular teacher of the school was made incharge of the Finance of the School Called Ram Nagar(Boys). On his information two enquiries were made in which it was found that the amount under the two head(s) given to accused Mukesh Kumar was embezzled.

Contention of the petitioner is that in the two reports which are attached to the First Information Report nothing incriminating the petitioner in the crime has been found/reported. Only it is the petitioner who made the complaint whereupon the enquiries were made. Ultimately, First Information Report was lodged in which he has not been named as an accused.

Learned APP, on the other hand, submits that in course of investigation some evidence has come suggesting the petitioner may have hand in glove with other co-accused .

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist class Muzaffarpur in connection with Gaighat P.S. case no. 253 of 2014,subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

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