

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9821 of 2016

Arising Out of PS.Case No. -85 Year- 2013 Thana -KALUAHI District- MADHUBANI

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Kamleshwari Prasad Singh Son of Late Sitaram Singh, Resident of Village
- Bind Toli, P.O. - Tintanga Karari, P.S. - Gopalpur, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Satyavrat Verma (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 01-03-2016

Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

Earlier the petitioner was granted privilege of anticipatory bail with condition to deposit the so-called defalcated amount but the petitioner could not deposit the amount and, accordingly, he was remanded in this case on 15.10.2015 and since then he is languishing in jail custody. The accusation against the petitioner is that he was the Headmaster of the concerned school and withdrew huge government money and defalcated the same but from perusal of the impugned order as well as submissions of the parties, I find that it was the petitioner and one Tripti Narayan Yadav, who was the Secretary of the aforesaid school, were authorized to withdraw the said amount. Moreover, the investigation against the petitioner has already been completed

and, in the departmental proceeding, the petitioner has already been discharged from other allegations except the allegation of defalcation.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the period of detention of the petitioner in jail custody, 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 the learned Chief Judicial Magistrate, Madhubani in Kaluahi P.S. Case No. 85 of 2013, corresponding to G.R. No. 2343/13.

(Hemant Kumar Srivastava, J)

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