

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8334 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -SC/ST District- JAMUI

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1. Shanti Niketan Singh S/o Late Ram Lakhan Singh Head Master, D.D.O.,
Middle School, Aliganj, Police Station - Chandradip, Permanent address : -
resident of Village - Krishnapatti, P.S. + District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections
420/120(B)/466/467/468/471/406/506/34 of the Indian Penal Code
and Section 3(x) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner submits that while he was
functioning as In-charge Head Master being the new incumbent of
the school in question, the informant did not hand over full charge
of the school which included the financial charge. It is further
submitted that subsequently, the present allegation was made by
the informant who was functioning in the school before, stating

that this petitioner along with the Secretary had connived together and got certain amounts of school money withdrawn and transferred into certain accounts and misappropriated a huge amount of school money.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that there are several witnesses who have stated during the course of investigation that the petitioners and others have connived to get certain withdrawal made from the school account. However, no statement was made by the witnesses to the extent that it could establish either the place of occurrence where the informant was compelled to sign the cheques or there were any witness who could substantiate that the petitioner was assaulted, and also that there was use of caste name with intention to insult the informant. It is further submitted that the petitioner is now functioning in the school and is regularly attending his duties and is not likely to abscond. It is also submitted that the transaction which have been made, have been made through bank cheques. As such, there is no likelihood of any tampering of evidence and official records.

Considering the entire facts and circumstances and also noticing that it is not known how and when the aforementioned cheques relating the school money were issued by the informant. It

appears that there was some dispute with regard to hand over of charge which has led to the filing of the present case and also because the calling of the caste name is not specific against the petitioner and not on the public place so as to attract aforementioned Sections of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, as such, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 A.C.J.M., Jamui in connection with Jamui S.C./S.T. P.S. Case No. 37/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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