

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16134 of 2016**

Arising Out of PS.Case No. -75 Year- 2016 Thana -BARBIGHA District- SEKHPURA

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Sudhir Kumar Chaudhary, Son of Om Prakash Chaudhary, resident of  
Village Samachak, P.S. Barbigha, District - Sheikhpura.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Pankaj Kumar, Advocate.

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      01-07-2016

Heard both sides.

The petitioner apprehends his arrest in Barbigha P.S.

Case No. 75/16 registered under Sections 420, 409, 34, 120B of  
the Indian Penal Code.

The petitioner was In-charge Headmaster of Primary  
School, Barbigha and he was entrusted with Rs. 8,93,300/- for  
construction of school building in the year 2011. An amount of Rs.  
6,69,750/- by way of advance was transferred to the account of the  
petitioner but the petitioner did not construct any school building.  
The Block Education Officer inspected the site and found that no  
construction work was done. It is submitted that the petitioner  
purchased building construction materials and put them at the  
place of construction but could not construct the building because  
Manoj Kumar Singh and Anju Devi started demanding extortion. It

appears that Anju Devi is the Secretary of Vidyalaya Samiti. The petitioner filed the complaint case on 05.02.2016. The petitioner had taken advance in the year 2012 itself but he has not at all constructed any building nor any material was found within the premises of the school.

Considering the fact that the petitioner misappropriated huge amount meant for construction of school building, I am not inclined to enlarge the petitioner on anticipatory bail in Barbigaha P.S. Case No. 75/16. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

Dilip/-

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