

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37650 of 2015

Arising Out of PS.Case No. -51 Year- 2014 Thana -GAYGHAT District- MUZAFFARPUR

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Darogi Poddar, son of Late Ganpat Poddar, resident of village - Laxman Nagar, Police Station - Gaighat, District – Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh

For the Opposite Party/s : Mr. Rajendra Singh Shastri (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 07-01-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner, being the Secretary of the Village School Committee, is apprehending his arrest in connection with Gaighat P.S. Case No.51 of 2014 registered for the offences under Sections 341, 323, 504, 506, 486 and 420 of the Indian Penal Code.

Case diary in the present case was called for earlier which has since been received.

Learned counsel for the petitioner submits that the petitioner is innocent and his name has been brought into this case only because as Secretary of the Committee he had been counter signing the cheques issued by the Headmaster who had been authorized to make payments for construction of the school



building of Middle School, Laxman Nagar. Learned counsel for the petitioner submits that he had no responsibility for construction of the school building rather the Headmaster was the whole and sole responsible person for said work. He submitted that so far as the petitioner was concerned, only after the Headmaster had ascertained and verified the construction works and cheques were prepared, and were placed before him for signing the same.

Learned counsel appearing on behalf of the State submits that the authorities have investigated the matter and later on it was found that the Assistant Teacher who was made a scape goat in the matter and that the concerned cheques having been issued by the Headmaster in favour of Pushpesh was not responsible in any way. It was only the Headmaster, the informant of the present case who was responsible for irregularities.

Considering the materials which have come in the case diary and the role assigned by the petitioner and also that he has no criminal antecedent, 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 released on bail on furnishing bail bond of

Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in Gaighat P.S. Case No.51 of 2014, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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