

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45866 of 2015

Arising Out of PS.Case No. -93 Year- 2014 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Rajeshwar Singh S/o Late Radha Krishna Singh, resident of Vill. - Laukaria,
P.S. - Palanwa, Dist. - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Navin Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Madhuban P.S. Case No.93 of 2014 for the offences instituted under Sections 406, 420, 409, 467 and 471 of the Indian Penal Code.

The prosecution story, in brief, is that this case is complaint based lodged by complainant Kishori Sharan Singh, Head Master Shri Rijhan Ram Charitra High School, Dulma stating therein that he is headmaster since 7.8.2012 and earlier the petitioner- accused, namely, Rajeshwar Singh was the head master of the School. Due to misappropriation of development fund of the school the School Management Samity has removed the petitioner.



It has further alleged that since July 2008 the petitioner has not produced any account on finance of development fund of school and no documents have been produced inspite of notices issued to him by the Management Samitee and he has made prates for the same on the one and other ground and has misappropriated the development fund in Lacs and the samitee has passed a proposal for lodging a case against the petitioner-accused and this case has been lodged which was sent to local police station u/s 156(3) Cr.P.C. for instituting a case.

It is submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has been made accused in the present case due to mistake of fact. No specific amount in respect to misappropriation of the school fund has been mentioned by the prosecution. It has further been submitted that the petitioner is ready to deposit an amount of Rs.50,000/- in the court below which shall be subject to the final disposal of the case

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner is ready to deposit an amount of Rs.50,000/- in the court below which shall be subject to the final

disposal of the case.

Let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class,Sikarahana, Motihari, East champaran, in connection with Madhuban P.S. Case No.93 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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