

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34067 of 2016

Arising Out of PS.Case No. -211 Year- 2015 Thana -BHARGAWAN District- ARRARIA

Chhutahru Yadav, the then Vidyalaya Siksha Samiti, Prathmik Vidyalaya, West of Domunhani Ghat River Son of Madhura Yadav, resident of Village Domuhan Ghat, Post Office- Raghunathpur, Police Station- Bhargama, District- Araria.

.... .. Petitioner/s

Versus

The State of Bihar

.... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Smt. Reena Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 26-08-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bhargama P.S. Case No. 211 of 2015 registered under Sections 406, 409 and 420 of the Indian Penal Code.

The accusation is that Rs.6,14,700/- was sanctioned, under Bihar Education Project, for construction of building of Primary School, Domuhan Ghat near the river and the said amount was made available to co-accused, Smt. Paramshila Kumari, the then Incharge Headmistress and the petitioner, the then Secretary, Vidyalaya Shiksha Samiti of the said school but till 30.11.2015, the construction of building of the school was not completed.

Learned counsel for the petitioner submits that petitioner was the Secretary of Vidyalaya Shiksha Samiti and the construction of work of the school was completed by the Management and regarding the same the District Programme Officer, Sarb Shiksha Abhiyan, Araria, the Assistant Engineer and the Junior Engineer of Araria have issued a certificate dated 11.02.2016 showing that the construction work of building of the primary school have been completed. It is further submitted that co-accused, Paramshila Kumari, has already been granted privilege of bail by this Court vide order dated 01.04.2016 passed in Criminal Misc. No. 13389 of 2016.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Araria, in connection with Bhargama P.S. Case No. 211 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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