

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37022 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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Nawal Kishore Singh, S/o- Sri Nath Singh, R/o- Village- Sahatha, P.S.-
Bhagwanpur, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Mustaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 19-09-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Bhagwanpur P.S. Case No. 31 of 2016, disclosing offences
under Sections 420 and 409 of the Indian Penal Code.

The petitioner, at the relevant point of time, was posted
as Incharge Headmaster of a school in Bhagwanpur Block of
Vaishali district. Allegedly, he misappropriated a sum of Rs.
6,70,000/- which was given to him for the purpose of construction
of school building and despite a direction to him to deposit the
said amount, he failed to do so. The First Information Report came
to be lodged on 11.02.2016.



Learned counsel for the petitioner has drawn my attention to Annexure-2/1 of the present application in order to submit that the said amount of Rs. 6,70,000/- had been deposited by the petitioner. Annexure-2/1 is a cheque, said to have been issued under the petitioner's signature payable to Bihar Siksha Pariyojna, Hajipur (Vaishali). Learned counsel for the petitioner has submitted that considering the nature of accusation, there is no chance that the petitioner can tamper with the evidence and considering the status of the petitioner, there is no chance that he will flee from investigation or trial if he is granted anticipatory bail.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 31 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner

shall present himself before the police/Court, as the case may be,
as and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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