

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41511 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -SHEOHAR District- SHEOHAR

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Kedar Narayan Singh @ Kedar Narain Singh, S/o Gokul Singh, R/o
Village- Tajpur, P.S. & District - Sheohar, (Ex-Secretary, Vidyalaya
Shiksha Samiti of Primary School, Tajpur, Harijan Chaupal).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dinesh Jha, Advocate

For the Opposite Party : Mr. Akbar Ali(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Sheohar P.S. Case No. 11 of 2016 registered for the offences
punishable under Sections 406 and 409/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that he is
the Secretary of the Education Samiti of the Nav Primary School,
Tajpur, Harijan Chaupal. It is submitted that though an amount of
Rs. 5,43,950/- had been withdrawn for construction of the school
building and an amount of Rs. 4,77,089/- has already been spent in
the construction of the said building and only an amount of Rs.
66,861/- could not be explained by the Headmaster and, as such,

the petitioner is being held to be responsible for the said defalcation along with Headmaster. It is submitted that petitioner is himself the donor of the land on which building was to be constructed and that it would be rather impractical to allege that the petitioner had been part of the conspiracy to defalcate money made for construction of school building. He further submits that he had made complaint regarding the Headmaster of the School and on the basis of such complaint filed by him, the Headmaster has now been dismissed from service.

In view of nature of the allegation made and the present facts and circumstances of the case and also that the petitioner 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 enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 11 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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