

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3813 of 2016

Arising Out of PS.Case No. -58 Year- 2014 Thana -BASNAHI District- SAHARSA

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Bishnudeo Yadav @ Bishundeo Pd. Yadav, son of late Chander Prasad Yadav resident of village - Maniyan, Post Office - Sugama, P.S. - Banama Itahari, District - Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binodanand Mishra, Advocate

For the Opposite Party/s : Mr. Sunil Kr.Panday(App)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 08-04-2016

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 409 of the Indian Penal Code.

As per the allegation, the petitioner, who was headmaster of the school, has withdrawn Rs.19,18,000/- but did not complete the construction of the building and he did not hand over charge to any body though he retired in the month of February, 2012.

It is submitted on behalf of the petitioner that once it is assessed that how much amount is still outstanding against the petitioner, he is ready to pay the same.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Bishnudeo Yadav @ Bishundeo



Pd. Yadav be released on provisional bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Basnahi P.S. Case No.58/2014, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

Thereafter, the Block Education Officer concerned will get it assessed as to what amount is still outstanding against the petitioner and submit his report within a period of two months before the court below. On such report having been filed stating the outstanding dues against the petitioner, the petitioner would be required to deposit the amount within a further period of one month. On such action having been taken by the Department and the petitioner, the court below would make the provisional bail absolute.

However, in case the petitioner does not deposit such amount then the court below would cancel his bail bond.

In case nothing is filed by the Block Education Officer, Sonbersa showing any outstanding dues against the petitioner, then also the court below would make the provisional

bail absolute after six months.

Let a copy of this order be communicated to the District Magistrate, Saharsa, who would communicate it to the Block Education Officer, Sonebersa.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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