

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27935 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -DURAULI District- SIWAN

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Bachcha Rai Son of Late Ramekbal Rai, Resident of Village- and P.O. -
Mathiya, P.S. - Darauli, District-Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 19-09-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 27.02.2016 in a case
registered for the offences under Sections 409 and 420 of the
I.P.C.

Petitioner was Headmaster at the relevant time and he
took Rs.18,56,933/- for construction of rooms of the School and
got constructed only three rooms resulting institution of the
present case against him.

Submission on behalf of the petitioner is that the
remaining rooms could not be constructed by the petitioner as the
rates of material inflated and moreover officials may adjust the
amount due upon the petitioner from his retiral benefits because

the petitioner has admittedly been retired. It is further submitted that the petitioner may be granted provisional bail for the period of six months so that he could take steps for construction of remaining rooms of concerned School.

Considering the aforesaid circumstances, let the petitioner above named be released on bail provisionally for the period of six months on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri A. Pandey, Judicial Magistrate, 1st class, Siwan in connection with Darauli P.S. case No.15 of 2016, subject to condition that within six months from the date of his release he shall file a certificate of completion of work issued by the competent authority before the learned Trial Court and if the petitioner does so the learned Trial Court shall confirm the provisional bail granted to the petitioner by its own level but if the petitioner fails to do so the provisional bail granted to the petitioner shall not be confirmed by the concerned Court and in that event the concerned Court shall pass appropriate order for taking the petitioner in judicial custody.

(Hemant Kumar Srivastava, J)

Narendra/-

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