

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52853 of 2016

Arising Out of PS.Case No. -225 Year- 2016 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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Rajesh Prasad Sah @ Rajesh Prasad, Head Master Rajkiya Utkramit
Madhya Vidyalaya, Nadwa, Son of Late Narsingh Sah, Resident of Village
Hardi Nadawa, P.S. Chautarwa, District-West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Panchanand Pandit

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Chautarwa P.S. Case no. 225 of 2016, registered under Sections 409,
420, 379, 411/34 of the Indian Penal Code.

The accusation is that informant being the Sadhan Sevi of
mid day meal scheme received information to the effect that in school
situated at Nadawa, the villagers have seized the mid day meal rice.
Thereafter, he went there and came to know on verification that
petitioner being the Headmaster of the school with the help of his
villager Mohit Yadav was carrying 50 Kg of rice on bicycle, which
was seized and handed over to Chautarwa Police Station. On
verification of stock 41 quintals 50 Kg rice was recovered. While
according to the stock register, 36 quintals and 57 Kg 386 Grams rice
was to be found there. As such, 08 quintals and 50 Kg more rice was



recovered in the stock and register was not maintained for consumption of rice in between 01.09.2016 to 03.09.2016.

Learned counsel for the petitioner submits that it would appear from the seizure-cum-production list that rice bag was produced by one Raj Kaushal Mishra. In fact, earlier Noor Nisha headmaster had lodged Chautarwa P.S. Case No. 311 of 2013 against son of Biru Chaudhary, who is son of one witness of seizure-cum-production list. Bidhyasagar Prasad, who was also headmaster in between 2007 to 2010 has also lodged Chautarwa P.S. Case No. 127 of 2010 against father of Raj Kaushal Mishra. Due to that reason, Raj Kaushal Mishra got managed to lodge present case only to give undue pressure.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 A.C.J.M., Bagaha, West Champaran in connection with Chautarwa P.S. Case No. 225 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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