

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39180 of 2016

Arising Out of PS.Case No. -45 Year- 2012 Thana -AWTARNAGAR District- SARAN

Hiranand Rai, Son of Ram Awadh Rai, Ex-Acting Headmaster, Sarvodaya Higher Secondary (+2) School Bhagwanpur, Police Station- Awatarnagar, District- Saran, at present residing at Belwa Alam Das, Post- Shankar-Patkhauli, P.S.- Pataherwa, District- Kushinagar (Uttar Pradesh).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Kumar Pandey, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-10-2016 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Awatarnagar P.S. Case No.45 of 2012 for allegedly having committed the offence under Sections 420, 467 and 468 of the Indian Penal Code.

Learned counsel for the petitioner submits that though there is an allegation of defalcation of money, the entire money which was advanced towards the development of the School has been expended by the petitioner and the utilization receipts have been filed in the office of the District Education Officer, Saran. However, without considering such receipts and in isolation

thereof, the present F.I.R. has been lodged, implicating the petitioner. It is submitted that the petitioner will co-operate with whatever investigation and shall also produce any other document required at the time of audit.

Considering the entire facts and circumstances of the case, 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 released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran, in connection with Awatarnagar P.S. Case No.45 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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