

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22718 of 2016

Arising Out of PS.Case No. -265 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

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1. Ramchandra Mandal, Son of Late Laxmi Mandal, resident of Village +
P.O.- Dhanauli, Police Station- Baheri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Pushpa Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 22-06-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is languishing in jail custody since 21-03-
2016 in a case registered under Section-409 of the Indian Penal
Code.

The accusation against the petitioner is that being
headmaster of school withdrew Rs. 17,40,000/- to execute some
work but he spent only Rs. 14,00,00/- and allegedly, embezzled
Rs. 3,40,000/-

Contention on behalf of petitioner is that the petitioner
had already completed the entire work and spent the entire amount
but without any calculation and proper measurement, the
informant lodged this case. It is further submitted that

subsequently, under coercion, the petitioner deposited Rs. 1,30,000/- and moreover, he is ready to deposit rest amount in equal installments subject to outcome of trial of the petitioner before concerned authority.

In view of the aforesaid submissions as well as facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bahadurpur P.S. Case No. 265 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Darbhanga subject to condition that the petitioner shall deposit the claimed amount, excluding Rs. 1,30,000/- in four equal monthly installment.

It is made clear that the first installment shall be deposited by the petitioner within a month from the date of his release from custody and thereafter, on interval of one month each, rest three installments shall be paid. Failure to deposit the aforesaid amount shall give liberty to the trial court to cancel the bail bonds of the petitioner. The aforesaid deposit shall be subject to outcome of trial.

(Hemant Kumar Srivastava, J)

A.K.V./-

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