

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45270 of 2015

Arising Out of PS.Case No. -163 Year- 2015 Thana -ALOU LI District- KHAGARIA

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Dinesh Chandra Rajak Son of Rameshwar Rajak resident of Village + P.O. Sahashi, P.S. - Alauli, District - Khagaria, Ex-Headmaster Middle School Kalawara, Alauli.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Md.Ashlam Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 409 and 420 of the Indian Penal Code.

The prosecution case, in short, is that the F.I.R. has been lodged by the informant, Block Education Officer, Alauli against the petitioner wherein it is alleged that the petitioner being Headmaster of Middle School, Kalwara, withdrew the money from the account of the school but did not complete the work and thereby defalcated the money.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. The petitioner has been made accused due to mistake of fact and whatever amount had come in the school has been utilized for the construction work. It is further alleged that the petitioner is ready to deposit an amount of Rs.50,000/- in the court below which shall

be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the first information report.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit Rs.50,000/- in the court below which shall be subject to the final disposal of the case.

Let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri T.K. Jha Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No.163 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

V.P.Sinha/-

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(Sudhir Singh, J)