

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49605 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -BHARGAWAN District- ARRARIA

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1. Priyadarshi Jaykant, Headmaster, Primary School, Pathan Tola Bhargama, Block Bhargama, P.S- Bhargama, District-Araria. Sri Ganesh Rishideo Village- Badahua, P.O.- Manulahpatti P.S.- Bhargama, District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State..

This application, for grant of anticipatory bail, arises out of Bhargama P.S. Case No. 21 of 2016, disclosing offences under Sections 420, 409 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the construction work in question, for which the present case has been lodged, has already been completed by the petitioner as is evident from Annexure-2, which is a completion certificate issued in favour of the petitioner by the authorities concerned, which learned counsel for the petitioner has stated on oath in paragraph 16 of the petition.



Considering the facts and circumstances of the case and the submissions advanced, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Araria, in connection with Bhargama P.S. Case No. 21 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself/herself before the police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

It is also made clear that if the said Annexure-2, is found to be false in course of investigation, prosecution is free to make a prayer before the Court below for cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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