

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23879 of 2016**

Arising Out of PS.Case No. -57 Year- 2016 Thana -KHIJARSARAI District- GAYA

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Shashi Bhushan Kumar, S/O Narsingh Narayan, resident of Village-  
Chiraili, P.S.-Khizersarai, District-Gaya.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. A.L.Pandit (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

3      04-08-2016      Heard both sides.

The petitioner apprehends his arrest in Khizersarai P.S.  
Case No. 57/2016, registered for the offences punishable under  
Sections 409, 420 of the Indian Penal Code.

It is alleged that the petitioner was entrusted to the work  
of construction of eight class rooms, boundary wall and kitchen  
room worth Rs. 12,81,000/- in the year 2007. On the basis of  
measurement book entry, work of Rs. 8,15,663/- was found to be  
done and the petitioner is alleged to have misappropriated Rs.  
4,63,337/-.

Learned counsel for the petitioner submits that vide  
annexure – 2 report is submitted and annexure – 3 shows that the  
petitioner has given money to different teachers for purchasing

the construction materials. For construction of class room, boundary wall and kitchen, money was disbursed in the year 2007 and even after lapse of seven years the construction could not be completed.

It appears that the petitioner has misappropriated more than Rs. 4,63,000/-.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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