

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13077 of 2017

Arising Out of PS.Case No. -34 Year- 2016 Thana -PAUTHU District- AURANGABAD

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Brijmohan Ram @ Brij Mohan Ram, son of late Ramkrit Ram @ Ram Krit Ram, resident of Village- Araikhap, P.S.- Khudwan, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate.
Mr. Rohit Kumar, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 19-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Pauthu P.S. Case No. 34 of 2016 instituted for the offence under Sections 409 and 420 of the Indian Penal Code.

It is alleged that this petitioner while working as a teacher in Middle School, Alpa Haspura, withdrew Rs.12,76,388/- which was the amount allotted for construction of four additional class room, out of which, he executed work only for Rs.5,91,670/- and work for Rs. 8,27,007/- remained undone. Apart from this, in the same financial year, an amount of Rs.2,55,000/- was allotted for the construction of Headmaster Chamber, out of which, work was executed only for Rs.1,49,067/- and rest amount of Rs.1,59,993/- was lying with



the accused. In this manner, the accused petitioner has defalcated total amount of Rs.9,87,000/-

A report was called for from the present Principal/In-charge of the concerned school which has been received wherein it has been mentioned that the petitioner left the construction work in complete prior to his retirement, although, he has withdrawn the total amount of construction work.

Learned A.P.P. has appeared and opposed the prayer for bail of the petitioner.

In such circumstances, this Court is not inclined to grant bail to the petitioner.

Prayer for bail of the petitioner stands rejected.

The trial court is directed to expedite the trial. In the event the petitioner offers in the court below to make payment of the entire amount of outstanding, the court below will consider the prayer for regular bail of the petitioner in accordance with law without being prejudiced by this order.

S.Ali/-

(Sanjay Priya, J)

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