

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11809 of 2017

Arising Out of PS.Case No. -140 Year- 2016 Thana -ATRI District- GAYA

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Surendra Das Son of Kali Charan Das, Resident of Village- Mani Bigha,
P.S.-Atri, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 15-03-2017 Heard both sides.

The petitioner seeks bail in connection with Atri P.S.
Case No. 140 of 2016, registered for the offence punishable under
Sections 409, 420 of the Indian Penal Code.

The petitioner is a Headmaster of Primary School, Mani
Bigha. An amount of Rs. 12,43,750/- was sanctioned for
construction of the said Primary School. During inspection, it was
found that the work of Rs. 8,20,728/- was done and some
construction work remained in-complete and thereby defalcated an
amount of Rs. 4,23,022/-

Learned counsel for the petitioner submits that the work
has already been completed and a certificate to this effect has been
issued by the Panchayat Samiti and no measurement was done by



that time when the present case was lodged. The petitioner is in custody since 07.08.2016 having no criminal antecedent.

Learned APP, on the other hand, opposed the prayer.

Considering the facts and circumstances of the case and the submission that the work has already been completed, the prayer of bail is allowed. The above named petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IIInd, Gaya in connection with Atri P.S. Case No. 140 of 2016.

(Sanjay Kumar, J)

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