

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12746 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -TANDWA District- AURANGABAD

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1. Anil Kumar, Son of Late Parmanand Kumar, Residence of Village-
Khutahan, P.S. Haspura, Distt.- Aurangabad. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 13-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Tandwa
P.S Case No. 38 of 2016 (G.R. No. 1390 of 2016) registered for
the offences punishable under Section 406, 409 and 420 of the
Indian Penal Code.

Allegedly, the petitioner took amount of Rs.
4,90,000/- for construction of the building in the school, but
completed the work only for Rs. 3,00,000/- and did not complete
the whole work and in that way misappropriated the rest amount.

Submission is of false implication and that the
petitioner was transferred from that school, resulting, the work
was not completed, he was ready to complete the work or to return
the money and, as such, he deserves sympathetic consideration.

Learned A.P.P. submits that if the petitioner is ready
to complete the work then lenient view can be taken.



In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction Sri Gaurav Anand, Judicial Magistrate-1st Class-cum-A.C.J.M.-VII, Aurangabad (Bihar), in connection with Tandwa P.S. Case No. 38 of 2016 (G.R. No. 1390 of 2016), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail **with further condition that the petitioner shall complete the work of the building within 06 (six) months after his release and thereafter he will file completion certificate accordingly issued by Block Education Officer, Nabinagar, Aurangabad, failing which the bail granted to the petitioner shall be deemed to be cancelled.**

(Jitendra Mohan Sharma, J.)

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