

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18208 of 2017

Arising Out of PS.Case No. -11 Year- 2016 Thana -SHEOHAR District- SHEOHAR

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Shivnath Kumar Sah, S/o Lakhan Sah Resident of Village Chamanpur, P.S.
Sheohar, District Sheohar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Ramchandra Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 11-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sheohar P.S. Case no. 11 of 2016, registered under Sections 406 and
409/34 of the Indian Penal Code.

The accusation is that petitioner being the Headmaster of
Middle School, Ukni received Rs. 5,46,418/- for the session 2010-11,
but he has done work of Rs. 2,35,838/- and remaining Rs. 3,10,580/-
was misappropriated. Similarly, he also received Rs. 6,20,000/- for the
same session, but he completed the work of Rs. 5,55,000/- and
remaining Rs. 65000/- was misappropriated.

Learned counsel for the petitioner submits that,
admittedly, the petitioner was Headmaster of Middle School, Ukni and
work in respect of allotted money i.e. Rs. 5,46,418/- is completed,
which would appear from Annexure-2 to the Supplementary affidavit.



Further submission is that petitioner is ready to pay Rs. 65,000/- within four months.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on provisional bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 11 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner will be confirmed by the learned Court below on submission of receipt of Rs. 65,000/- deposited in the concerned department, within a period of four months. If the petitioner fails to furnish the receipt of the deposit of said amount within four months, the trial Court would be at liberty to cancel the bail bond of the petitioner

(Rajendra Kumar Mishra, J)

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