

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 60425 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -RIVILGANJ District- SARAN

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Mohan Prasad @ Mohan Prasad Chourasia S/o Late Ganga Prasad, R/o
Mohalla- Hospital Chowk, P.S.- Bhagwan Bazar, District- Saran, Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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For the Petitioner/s : Mr Abhay Kumar Singh, Advocate

For the Opposite Party/s : Mr Akbar Ali, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-12-2017

Heard counsel for the petitioner and the State.

Petitioner is accused in Rivilganj Police Station Case
No 79 of 2016 dated 03.05.2016 registered for the offence
punishable under Section 409 of Indian Penal Code.

First information report alleges that some funds to the
tune of Rs 13,50,000/- have been misappropriated by the petitioner
who was entrusted with the construction work of school building
as additional class rooms were not constructed by the petitioner.
Counsel for the petitioner draws attention of this Court to
Annexure 3 of the application on the basis of which the District
Programme Officer, on his application dated 22.03.2016, had
extended the time for construction of additional four class rooms
by ten months but just two months thereafter, the first information
report has been lodged. He submits that in view of the extension



granted by the District Programme Officer, the allegation is baseless and he is in custody in connection with this case since 07.06.2017 and prior to the instant case, there is no criminal antecedent of the petitioner.

Considering the aforesaid submission, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VIII, Saran at Chapra in connection with Trial No 1111 of 2017 arising out of Rivilganj Police Station Case No 79 of 2016 dated 03.05.2016 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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