

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2763 of 2017

Arising Out of PS.Case No. -261 Year- 2016 Thana -DHURAIYA District- BANKA

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Mahesh Kumar Singh S/o Late Kedar Singh R/o Village-Kushmi, P.S.
Dhoraiya, Dist Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 03-03-2017 Supplementary affidavit has been filed on behalf of

the petitioner. Let it be kept on the record.

Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Dhoraiya P.S. Case No.
261 of 2016 for the offences punishable under sections 409 and
420 of the I.P.C.

Allegedly, the petitioner being the Headmaster of
Pronat Middle School, Jakha, Dhoraiya received advance of Rs.
3,85,000/- to construct the additional room on the ground floor in
the school but the work was not started and the petitioner grabbed
the government amount.



Submission is of false implication and that before institution of the First Information Report the work was started which is evident from Annexure-5 of the supplementary affidavit, as a matter of fact the Junior Engineer concern was not cooperating the petitioner resulting some delay, the petitioner undertakes to complete the work within three months, this case has been lodged only with a view to harass the petitioner and as such the petitioner deserves sympathetic consideration, during investigation also it has come that the petitioner has not completed the work, meaning thereby, the work has been started.

The learned A.P.P. submits that as per undertaking of the petitioner provisional bail may be granted.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on provisional bail for three months, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. A.C.J.M.-IV, Banka in connection with above mentioned case. In the meantime, the petitioner will complete the construction work of additional room in the school and thereafter the petitioner will file completion certificate duly granted by the authority concerned before the



learned court below and then the learned court below shall confirm the bail granted to the petitioner, failing which the bail granted to the petitioner shall be deemed to be cancelled.

Accordingly, this Criminal Miscellaneous is being disposed of.

(Jitendra Mohan Sharma, J)

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