

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13201 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -HARPUR District- MUNGER

=====

Rabindra Kumar son of Ram Chandra Bind, resident of village/Mohalla-
Raja Rani, Police Station-Kharagpur, District-Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh

For the Opposite Party/s : Mr. Sri Anish Chandra

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 18-03-2017 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with Harpur P.S. Case No. 14 of 2016 instituted for the
offences punishable under Sections 409 and 420 of the Indian
Penal Code.

The informant happens to be Block Education Officer
and in his written report submitted before S.H.O of Harpur
Police Station, it has been alleged that an amount of Rs.
695000/- was released in favour of the petitioner for
construction work. The petitioner performed the work worth
Rs. 500530/- as per measurement and thereby, defalcated an
amount of Rs. 194470/-.

The learned counsel for the petitioner submits that the
petitioner has already performed the work against the said



amount released in his favour. The measurement was not submitted by that time by the competent authority as he was not available and so, the case was registered merely on suspicion. Learned counsel referred letter No. 144 dated 07.02.2017 of District Programme Officer to show that the measurement was done and the work was subsequently completed as per the measurement. The said measurement was not finally approved by the Assistant Engineer at the time of institution of the case. The petitioner is a headmaster of concerned school and has no criminal antecedent.

The learned APP, on the other hand, opposed the submission.

Considering the aforesaid facts and circumstances of the case, the anticipatory bail application is allowed. The petitioner above named, in the event of arrest / surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Harpur P.S. Case No. 14 of 2016, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sanjay Kumar, J)

ajaypd./-

U		T	
---	--	---	--

