

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15423 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -GOH District- AURANGABAD

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Ram Sharan Yadav, Son of Ram Sahay Yadav, Resident of village -
Nirpura, P.S. Goh, District - Aurangabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s: Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

12 18-09-2017

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Goh P.S. Case no. 70 of 2016, registered under Sections 409 and
420/34 of the Indian Penal Code.

The accusation is that petitioner being the In-Charge
Headmaster of Government Primary School, Nirpura, P.S. Goh,
District-Aurangabad withdrew Rs. 6,44,695/- for construction of the
school building, but the said work could not be completed.

Learned counsel for the petitioner submits that due to
disturbance created by the Secretary of the school, the building of the
school could not be constructed. However, petitioner is ready to pay
Rs. 6,44,695/- to the department within three months.

Having regard to the facts and circumstances of the case
and the undertaking of the petitioner that he will deposit the alleged



defalcated amount of Rs. 6,44,695/- within three months, 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 Chief Judicial Magistrate, Aurangabad, in connection with Goh P.S. Case No. 70 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below on submission of receipt of Rs. 6,44,695/- deposited in the concerned department, within a period of three months. If the petitioner fails to furnish the receipt of the deposit of said amount within three months, the trial Court would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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