

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17652 of 2017

Arising Out of PS.Case No. -160 Year- 2012 Thana -HATHAURI District- MUZAFFARPUR

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1. Kumari Asha, Wife of Abhinav Kumar Shahi @ Abhay Kumar Shahi,
Resident of Village - Baluanhan, P.S. - Hathauri, District - Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Hari Kishore Thakur, Adv.

For the Opposite Party : Mr. Shyam Kumar Singh, APP 138

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-04-2017

Heard the learned counsel for the petitioner
and the State.

This is a petition for grant of anticipatory bail for
offence under Section 409/34 of the Indian Penal Code.

Rupees five lakh and odd was allocated for
construction of the school building where the petitioner
was a principal. The work of Rs.1,59,343/- was only done
and allegation is that remaining amount of Rs.3,95,757/-
has been misappropriated by the petitioner.

The learned counsel for the petitioner submits
that the petitioner is ready to deposit the aforesaid amount
in the Government account under protest within three
months from today.

Considering the aforesaid fact, the petitioner,
above named, in the event of his arrest or surrender,



within four weeks from the date of receipt of this order, be released on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Hathauri P.S. Case No. 160 of 2012** to the satisfaction of the **Sub Judge X-cum-Additional Chief Judicial Magistrate X, Muzaffarpur**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

If the petitioner would not produce the receipt of deposit of the aforesaid amount within three months, the Court below shall be at liberty to cancel the bail bond of the petitioner and take coercive step against the petitioner.

(Birendra Kumar, J)

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