

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3962 of 2017

Arising Out of PS.Case No. -91 Year- 2016 Thana -ISHOPUR District- BHAGALPUR

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Awadhesh Kumar Sah, Son of Late Kali Prasad Sah, resident of Village-Sahuvasa, P.S. Ishipur, Barahat at present working as Asst. Teacher in Middle School Sarkanda, P.S. Ishipur Barahat, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 17-02-2017 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 Ishipur Barahat P.S. Case No. 91 of 2016 for the offences punishable under sections 409 and 420 of the I.P.C.

Allegedly, the petitioner and other co-accused fraudulently withdrew the government money meant for scholarship and dress of the students and embezzled the amount.

Submission is of false implication and that as per direction the petitioner has already deposited the amount in question on 04.10.2016 and 05.10.2016, photo copies of the



deposit receipts are annexed as Annexures- 2 and 2/1 to the bail application, the occurrence is of 05.09.2016 and the FIR. has been lodged on 03.12.2016, whereas, the petitioner has already deposited the amount before registration of the case and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. after going through the Annexures- 2 and 2/1 fairly submits that the petitioner has already deposited the amount of Rs. 39,000/- and Rs. 26,000/- respectively.

In the facts and circumstances as stated above, as the petitioner has already deposited the amount in question and as such 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 bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Bhagalpur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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