

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10870 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -CHANDI District- BHOJPUR

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Bhakti Singh @ Vakti Singh, Son of Late Mukhram Singh @ Mukhlal Ram,
R/o- village- Pachanuna, P.S.- Koilwar, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 25-04-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out
of Chandi Police Station Case No. 79 of 2016, disclosing offences
under Sections 420 and 409 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
petitioner happens to be the Head Master of the school, has falsely
been implicated in this case on erroneous ground by the superior
authorities in order to save their skin. On bare perusal of the instant
F.I.R, it is quite evident that it is not a case of defalcation of
government money by the petitioner rather it is case of irregularities,
committed by superior authorities i.e. District Education Officer and
District Programme Officer in allotment of fund for construction of
extra class room in the schools in question in connivance with one
Maitrayee Consultancy. Once the fund has been allotted and
disbursed to the official account of Head Master with direction to



utilize the amount for construction of extra class room, the petitioner, being the Head Master of the school, is duty bound to comply the order of the superior authority and, accordingly, a sum of Rs.6,80,000/- on different dates has been paid by the petitioner on the pressure of D.E.O and D.P.O. concerned to the Maitrayee Consultancy for construction of extra class room. When the petitioner came to know about the irregularities committed by the superior authorities, the petitioner, showing her bona fide, filed a complaint being Complaint Case No. 1271(C) of 2016, annexure-2. No specific case of any forgery or defalcation of government exchequer is made out against this petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Additional Chief Judicial Magistrate, IV, Bhojpur, Ara, in connection with Chandi Police Station Case No. 79 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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