

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28635 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -BELDAUR District- KHAGARIA

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1. Md. Nejamuddin, S/o Abul Barkat, Resident of Village- Mahua,
Singarpur, P.S.- Udakishunganj, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Beldaur P.S. Case No. 42 of 2017 for the offences instituted
under Sections 409 and 420 of the Indian Penal Code.

The allegation against the petitioner is that being
incharge Head master of middle school, Scheduled caste, Bobil
withdrew Rs. 60,000/- but did not construct kitchen and
misappropriated the government money.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is a retired headmaster. For mid day meal Rs. 60,000/-



was given for construction of a room where food can be prepared for the children. The petitioner has been made accused due to mistake of fact. It is further submitted that the petitioner is ready to deposit an amount of Rs. 25,000/- in the court below, which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 25,000/- in the court below, which shall be subject to final disposal of the case and on doing so, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Beldaur P.S. Case No. 42 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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